

SUDESH DEVI VS STATE OF HARYANA AND OTHERS

Present:- Mr. Sandeep Kumar, Advocate for
Mr. Vikram Singh, Advocate
for the applicant/petitioner.

Mr. Kanwal Goyal, Advocate
for the HPSC.

(Proceedings conducted through video conferencing).

The applicant/petitioner, pursuant to an advertisement dated 7.12.2017 for recruitment to the post of Lecturer had applied for the same. However, since the petitioner was not called for the interview, she filed a petition in this Court i.e. CWP-11373-2019 wherein the following prayer were made :-

- i. *“To issue a writ in the nature of Mandamus to directing the respondent especially respondent No.2 7 3 to allow the petitioner to participate in the interview to be held on dated 01.05.2019 (Annexure P-8) being eligible candidate and fulfill all the criteria as per the Advertisement No.3(10) dated 07.12.2017 (Annexure P-4).*
- ii. *It is further prayed that this Hon’ble Court may also issue writ especially in the nature of Mandamus directing the respondents that not to proceed further in the recruitment process of the above said advertisement for the post of lecturer Panchayati Department during the pendency of the present writ petition.”*

The aforesaid writ petition was finally disposed off vide order dated 15.10.2019 by passing following orders:-

“Grievance of the petitioner was only for issuance of the hardcopy of the result which was disclosed on the last date of hearing.

Learned counsel for the petitioner submits that writ petition has been rendered infructuous qua that fact but liberty of this Court is required for challenging the selection process.

Learned counsel for the respondents submits that once petitioner has not been able to get cut off marks i.e. 53 marks and she secured only 51 marks, thus, aforementioned liberty cannot be granted to the petitioner.

I am in agreement with the aforementioned submission of the learned counsel for the respondents and therefore, cannot grant the liberty to challenge the selection process.

Dismissed. ”

Thereafter the petitioner filed another writ petition in this Court i.e. CWP-29984-2019 which was also dismissed by passing following orders:-

*“Learned counsel for respondent No.4 has referred to the order dated 15.10.2019 passed by this Court in **Sudesh Devi vs. State of Haryana and others**, CWP No.11373 of 2019, to contend that the petitioner had earlier approached this Court challenging the selection process and when hard copy of her result was given to her, it was found that she had secured 51 marks and the last candidate selected under the General category, had secured 53 marks. However, the Court did not grant her any permission to challenge the selection process again.*

Keeping in view the above said order, learned counsel for the petitioner seeks to withdrawn this petition with liberty to take appropriate steps in accordance with law, if so advised.

Dismissed as withdrawn with liberty aforesaid.”

:3:

**RA-CW-205-2020 (O&M) in
CWP-11373-2019**

After dismissal of the aforesaid petitions, the petitioner has now filed this review petition seeking review of order dated 15.10.2019.

I have heard learned counsel for the applicant/petitioner.

Keeping in view the specific prayers made in the petition i.e. CWP-11373-2019 and order passed by this Court on 15.10.2019 wherein it is specifically clarified that the petitioner is not being granted any liberty to challenge any specific process and while noticing that despite the said order the petitioner preferred another writ petition for the same cause of action i.e. CWP-29984-2019, this Court does not find any ground for review of order dated 15.10.2019. Further, this Court also finds that this application has been filed at a highly belated stage and would be barred by limitation and was infact filed by the petitioner after testing waters by filing another writ petition.

The application, as such, is sans merit and is hereby dismissed.

8.10.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE