

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.13813 of 2020

Date of decision: September 08, 2020

Divyam Garg

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Dhiraj Chawla, Advocate for the petitioner.

Mr. K.K. Chahal, Addl. Advocate General, Haryana.

Ashok Kumar Verma, J.(oral)

This petition is filed for seeking quashing of the action of the respondent Haryana Public Service Commission (hereinafter referred to as “the Commission”), whereby it announced the conduct of the written test for Group 'A' post of Assistant Town Planner only on their website after a gap of one year from the date of advertisement and without any intimation on the registered email or SMS on the registered mobile number of the candidates and also to quash the result of the written test declared on 27.08.2020 (Annexure P-5). He has also prayed for a writ of mandamus directing the respondent Commission to hold the selection process afresh from the stage of written test by giving proper notice to the eligible candidates.

Learned counsel for the petitioner inter alias contends that the petitioner, who is IIT Graduate, is aggrieved against the impugned action of

the respondent Commission whereby it announced the conduct of the written test for Group 'A' post of Assistant Town Planner only on their website after a gap of one year from the date of advertisement and without any intimation on the registered email or SMS on the registered mobile number of the candidates resulting into many candidates missing the written test held on 10.08.2020 for want of proper notice. He further submits that test for Group 'A' post has been held at a short notice of five days as a result of which petitioner could not notice the announcement dated 30.06.2020 and 04.08.2020 and could not appear in the written test on the appointed date.

Mr. K.K. Chahal, Addl. Advocate General, Haryana has put in appearance on behalf of the respondents and refuted the arguments raised by counsel for the petitioner. He has submitted that vide announcement dated 30.6.2020 (Annexure P-3), announcement was made on Commission's website that the recruitment test for the post of Assistant Town Planner in Town and Country Planning Department, Haryana in pursuance of Haryana Advertisement No.5 (2)/2019 published on 05.07.2019 will be held (Tentatively) in 2nd week of August, 2020. He has further submitted that the result has already been declared and the candidates, who have qualified, have been advised to upload self attested copies of their certificates/ supporting documents as claimed in the application form upto 31.08.2020.

After hearing the rival contentions advanced by counsel for the parties and after perusing the paper-book, I am of the considered opinion that this writ petition deserves to be dismissed. In order to better appreciate the present controversy, it will be convenient to reproduce the

announcements dated 30.06.2019 and 4.8.2020 issued by the Commission, which read as under:-

**“Haryana Public Service Commission
Bays No.1-10, Block-B, Sector-4, Panchkula**

ANNOUNCEMENT

It is hereby announced for the general information of the candidates who have applied for the District Information & Public Relations Officer (Group-B) in Information and Public Department, Haryana, Advt. No.2 (vii)/2015 published on 10.09.2015 and corrigendum 09.04.2018, Assistant Director (Technical/Principal, Industrial Training Institute (Junior) in Skill Development & Industrial Training Department, Haryana, Advt. No.3 published on 07.12.2017 and Assistant Town Planner in Town and Country Planning Deptt. Haryana Advt. No.5 (2)/2019 published on 05.07.2019 that the Recruitment tests for the above will be held (Tentatively) in 2nd week of August-2020.

The venue, exact dates and time of the aforesaid examinations will be announced in due course. This announcement is also available on the Commission's website i.e. hpsc.gov.in

Dated: 30.06.2020

Sd/-
Deputy Secretary
Haryana Public Service Commission,
Panchkula”

**“Haryana Public Service Commission
Bays No.1-10, Block-B, Sector-4, Panchkula**

ANNOUNCEMENT

It is hereby announced for the general information of the candidates who have applied for the post of Town Planner (Group-A) in Town & Country Planning Department, Haryana against Advt. No.5/2019 published on 05.07.2019, Assistant Director (Technical)/Principal, Industrial Training Institute Group-'A' Junior in Skill Development and and Industrial Training Department, Haryana against Advt. No.3 (5) of 2017 published on 07.12.2017 and District/Information &

Public Relation Officer Class-II (Group-'B') in Information and Public Relations Department, Haryana against Advt. No.2 published on 10.09.2015 in various newspaper that the Commission has decided to conduct Recruitment Tests/Written Tests for the aforesaid post at Panchkula as per schedule given below:-

Sr. No.	Name of the Posts	Date of Exam	Venue of Exam	Time
1.	Assistant Town Planner	10.08.2020	Conventional Centre, HTC Red Bishop, Sector 1, Panchkula. & Multipurpose Hall, Tau Devi Lal Stadium, Sector-3, Panchkula.	03:00 P.M. to 05:00 P.M.
2.	District Information & Public Relation Office	11.08.2020	Conventional Centre, HTC Red Bishop, Sector-1, Panchkula.	10:00 A.M. to 12:00 Noon
3.	Assistant Director (Technical)/ Principal	11.08.2020	Multipurpose Hall, Tau Devi Lal Stadium, Sector 3, Panchkula & Conventional Centre, HTC Red Bishop, Sector-1, Panchkula	03:00 P.M. to 05:00 P.M.

The Candidates are advised to log on to <http://applications.hryrecruitment.co.in/> and register themselves first and fill up online Application Form for the purpose of Admit Card and thereafter log on to the same link for downloading their Admit Card and Instruction for the Candidates w.e.f. 05.08.2020. **No separate admit card will be sent to the candidates by the Commission through post/Courier.**

Date: 04/08/2020

Sd/-
Deputy Secretary,
Haryana Public Service Commission,
Panchkula”

From the combined reading of the above referred

announcements, it is axiomatic that as per announcement dated 30.6.2020 (Annexure P-3), sufficient time was given to the candidates who had applied for the post of Assistant Town Planner to take the recruitment test for the above said post to be held in second week of August, 2020. It is further seen that the result of the written test has already been declared vide announcement dated 27.8.2020 (Annexure P-6) and the candidates who have qualified, have been advised to upload attested copies of their certificates/supporting documents as claimed in the application form upto 31.8.2020. The complete schedule of written recruitment test/written test for the aforesaid post was uploaded on the website by way of announcement dated 4.8.2020 wherein it has been clearly mentioned that the candidates are advised to log on to <http://applications.hryrecruitment.co.in/> and register themselves first and fill up online Application Form for the purpose of Admit Card and thereafter log on to the same link for downloading their Admit Card and Instruction for the Candidates w.e.f. 05.08.2020. **No separate admit card will be sent to the candidates by the Commission through post/Courier.**

In view of aforesaid facts and circumstances it can be safely said that generally large number of candidates apply whenever any vacancy is advertised and it cannot be expected from the Commission to inform each and every candidate personally about the schedule of exam when the information is readily available on the website of Commission. Every candidate is supposed to keep update himself by checking the website of the Commisison at regular interval. It seems that the filing of present petition after the declaration of final result by the Commission is nothing more than

a feeble attempt made by the petitioner to cry over the spilt milk by way of filing this writ petition.

Thus, viewing from any angle, I do not find any merit in this petition and the same is hereby dismissed.

(ASHOK KUMAR VERMA)
JUDGE

September 08, 2020
'Rajpal'

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No