

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

LPA No.666 of 2020 (O&M)

Date of decision: 13.10.2020

(Heard through Video Conferencing)

Gurliakat Singh

..Appellant

Versus

State of Punjab and others

..Respondents

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Sandeep Bansal, Advocate
for the appellant.

Daya Chaudhary, J.

Appellant-Gurliakat Singh is aggrieved by the judgment dated 19.08.2020 passed by the learned Single Judge in CWP No.8594 of 2020.

Briefly, the facts of the case, which are necessary for consideration of the arguments raised by learned counsel for the appellant are that the appellant applied for the post of Agricultural Sub-Inspector (Soil Conservation Department) in pursuance to the advertisement issued/published on 29.12.2015. As per advertisement, all the candidates were required to appear for counselling on various dates communicated by public notice dated 23.09.2016, which was uploaded on the website and was also published in the newspapers circulated in the locality. The appellant was required to appear on 30.09.2016 but he did not appear. Thereafter, list of all eligible candidates was uploaded on the website on 14.12.2016 and a corrected list was published on 20.12.2016. The appointment letters were

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issued to the selected candidates. Vide order dated 14.02.2019, the appointments of some of the candidates, who did not submit their joining report in spite of issuing appointment letters, were cancelled. The appellant being aggrieved, filed CWP No.30725 of 2019 by taking grounds that he was not aware about notice dated 23.09.2016 as he was residing at the border area and internet service in that area was very poor. He made various representations for consideration of his candidature but no order was passed. Said writ petition was disposed of vide order dated 23.10.2019 with the direction to the respondents to decide the pending representation within a period of two months from the date of receipt of certified copy of the order. Consequently, speaking order dated 24.02.2020 was passed while rejecting the claim of the appellant. Said rejection dated 24.02.2020 was challenged before this Court by way of filing CWP No.8594 of 2020, which was dismissed vide order dated 19.08.2020 on the ground that notice for counselling was uploaded on the website as well as published in the newspapers circulated in the local area. The candidates were required to appear in the counselling on the specified dates. The ground taken by the appellant-petitioner was that he was residing at the border area and internet service in that area was very poor. The learned Single Judge by stating that the petitioner was supposed to remain regularly in touch with the website of the Board and date of counselling was required to be checked, considered the contention. It was mentioned in the advertisement itself that no individual information was to be sent to any candidates. Not only it was uploaded on the website but published in two leading newspapers circulated in the locality.

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Learned counsel for the appellant submits that learned Single Judge has not considered the arguments of the appellant-petitioner that the counselling was only for verification of the documents and the circumstances, which were beyond the control of the appellant, were not taken into consideration. Some of the candidates did not submit their certificates within the prescribed time but their certificates were accepted at the later stage. The appellant also should have been given opportunity to get his documents checked. Learned counsel further submits that the grounds taken in the writ petition and the arguments raised, were not considered properly and totally a non-speaking judgment has been passed. It is also the argument of learned counsel for the appellant that learned Single Judge has ignored the pleadings available on the record and has misread and misinterpreted the law on the subject.

Heard arguments of learned counsel for the appellant and we have also perused and gone through carefully the judgment passed by learned Single Judge.

The arguments raised and the pleadings taken in the writ petition were considered by learned Single Judge. The counselling was not only for the purpose of documents verification but it was like a interview. The selection process was specifically mentioned in the advertisement itself. Specific dates were given for counselling and other selected candidates appeared on the dates given to them. It was also mentioned in the advertisement itself that no individual information was to be sent to any candidate. The information was uploaded on the website and it was also circulated in the local newspapers of the locality. The appellant himself was

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not vigilant. Neither any malafide has been alleged against the authorities concerned nor it has been pointed out as to which of the candidates remained absent and still selected/appointed.

It was specifically mentioned in clause 14 of the advertisement that the candidates would be called for counselling as per the decision taken by the Board. As per clause 15(l) of the advertisement in case, any candidate does not produce original certificates regarding eligibility etc, he shall have no right for appointment and candidate next to him in merit shall be considered. It is also mentioned in clause 15(n) that the candidates were advised to get themselves watched regarding notices and counselling issued by the Board, on the website and no separate information was to be given.

In view of the facts/ reasons as mentioned above and the finding recorded by the learned Single Judge, we are of the view that there is no merit in the contentions raised by learned counsel for the appellant and the present appeal being devoid of any merit is, hereby, dismissed.

(DAYA CHAUDHARY)
JUDGE

13.10.2020
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes