

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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LPA No. 904 of 2020 (O&M)

Date of Decision: 22nd December, 2020

Kuldeep

.... Appellant

VERSUS

State of Haryana and others

....Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present: Mr. Kanhiya Soni, Advocate for the Appellant.

Dr. S. Muralidhar, J.

1. CM-2559-LPA-2020, filed on behalf of the present Appellant, seeks condonation of the delay of 488 days in filing the present appeal.
2. The only explanation put forth in the aforesaid application for condonation of the delay of 488 days is that the Appellant did not have funds for filing the appeal. The Court is not satisfied with this reason, particularly since the Appellant could easily have, in such circumstances, approached the State Legal Services Authority for assistance.
3. Be that as it may, even on merits, the Court finds no case to have been made out for interfering with the impugned order dated 4th July, 2019 of the learned Single Judge in CWP No. 29849 of 2017.
4. The writ petition CWP No. 29849 of 2017 was filed by the Appellant and other persons who were aggrieved by their non-selection in the interview round for the post of Shift Attendant in Respondent No. 2. By the impugned order dated 4th July, 2019, the learned Single Judge declined to grant the relief prayed for by the Appellant/Petitioner on the basis that he could not be considered for the post of Shift Attendant with the Respondent No. 2, since he had not placed on record the certificate of completion of the two-year ITI course, which, in terms of the

advertisement issued by the Respondent No. 2, was mandatorily required to be furnished for selection to the aforesaid post.

5. Although, Mr. Kanhaiya Soni, learned Counsel for the Appellant, today claims that at the stage of scrutiny of documents he had produced the required documents, there is nothing on record to show that. On the contrary it appears that even before the learned Single Judge the requisite certificate of completion of the two-year ITI course was not placed on record.

6. It appears to the Court, from a perusal of the impugned order dated 4th July, 2019, that the writ petition was pending before the learned Single Judge for a while and there was sufficient opportunity for the Appellant to have placed on record such certificate, if indeed it was available. There is no explanation why such certificate could not be produced.

7. In the circumstances, the Court finds absolutely no error having been committed in the impugned order dated 4th July, 2019 of the learned Single Judge. Consequently, the appeal is dismissed both on the ground of delay as well as on merits.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

22nd December, 2020
jk

Whether speaking/reasoned Yes/No

Whether reportable Yes/No