

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No. 15 of 2020 (O&M)
DATE OF DECISION: 09.01.2020

Bawa Ram

....Appellant

versus

State of Haryana and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.

Present: Mr. Ranjit Singh Kalra, Advocate,
for the appellant.

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RAVI SHANKER JHA, CHIEF JUSTICE: (Oral)

The appellant has filed this appeal being aggrieved by order dated 29.10.2019 passed by the learned Single Judge in Civil Writ Petition No.31149 of 2019 wherein he had prayed for issuance of a direction to the respondents' authorities to call him for interview for selection on the post of Multi Purpose Health Worker (Male) pursuant to an advertisement No.1/2015.

Learned counsel for the appellant submits that the writ petition has been dismissed by the learned Single Judge without taking note of the fact that the appellant is an Ex-serviceman and is suffering from 70% disability and could not attend the interview on account of a mistake and lapse on his part. It is submitted that though the appellant was selected but he has been deprived of the opportunity of appointment on account of a mistake and lapse on his part. It is submitted that the learned Single Judge should have taken this aspect into consideration before dismissing the petition filed by the appellant and as the learned Single Judge has not done so, the impugned order suffers from perversity and illegality warranting interference by this Court.

I have heard learned counsel for the appellant at length.

It is observed that concededly the appellant's name appeared in the list of selected candidates at Sr. No. 19 and the roll numbers of first 18 candidates were mentioned on the first

page and that of the appellant on the next page. It is also undisputed and rather stated by the appellant himself in his representation Annexure P-7 that appellant failed to take note of the fact that his roll number was mentioned on the next page and on that account he did not appear in the interview process. It is also undisputed fact that the interview was held on 02.05.2018 and the partial result was declared on 05.08.2018 and thereafter final result of the selection process was declared on 05.06.2019. It is also an admitted fact that it is only after declaration of the final result, the appellant filed a representation Annexure P-7 dated 05.07.2019 requesting the respondents to permit him to appear in the interview and on the failure of the respondents to do so, the appellant had approached this Court by filing a writ petition which has been dismissed by the learned Single Judge.

Learned Single Judge taking note of the aforesaid facts has dismissed the writ petition of the appellant on account of the fact that the appellant did not appear in the interview and thereafter filed a representation only after the final result was declared and in such circumstances the entire selection process could not be reopened and a direction could not be issued to the authorities to permit the appellant to appear in the interview.

We do not find any illegality or perversity in the impugned order passed by the learned Single Judge warranting interference by this Court as the same is based on proper appreciation of facts and material available on record.

The appeal is accordingly dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

09.01.2020
ravinder

NOTE: Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
