

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

CWP No. 7576 of 2021
Date of decision: 29.09.2021

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Anjali and others

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. M.S. Virk, Advocate, for the petitioners.

Mr. Harish Nain, AAG, Haryana.

G.S.SANDHAWALIA, J. (Oral)

The petitioners challenge the examination of the Physical Training Instructors (PTIs) held on 23.08.2020 against the notice dated 30.07.2020 and the result dated 05.10.2020 (Annexure P-14). Challenge is made on the ground that the paper was leaked and it was conducted in a hap-hazard manner without following proper norms. Resultantly, directions are sought to participate in the selection process while conducting fresh examination for the post of PTIs against Advertisement No. 6 of 2006 in Category No. 23.

It is not disputed that the selection earlier made was set aside by the Single Judge of this Court which was upheld by the Division Bench and eventually, the Apex Court in *Ramjit Singh Kardam vs Sanjeev Kumar, 2020 (2) SCT 491* also approved of the setting aside. However, certain directions were issued that the Commission would conclude the entire selection process afresh by holding objective type test and thereafter, an interview was to be conducted.

In pursuance of the same, the respondents issued the advertisement on 30.07.2020 (Annexure P-9) notifying the fresh schedule of

the examination which was to be conducted and the candidates were required to download the admit card for the examination which was to be held on 23.08.2020. The result was thereafter declared on 05.10.2020 (Annexure P-14) and candidates were called for interview as per the criteria which had been prescribed. The three petitioners herein did not sit in the examination and the reason, as such, is on account of the Covid-19 pandemic apart from the fact that petitioner no. 1 is having medical problem. Thus, the petitioners never appeared in the written examination and now seek to nullify the whole exercise which has taken place on account of the orders of the Apex Court only on the ground that FIR was lodged at one centre in Hisar wherein, there were allegations of cheating while placing reliance upon Annexure P-17.

A perusal of Annexure P-17 would go on to show that somebody claiming to be a government employee entered into the examination centre and passed some slip to one of the candidates against whom, the case was lodged. It is not the case that the papers had leaked at the hands of the officials of Commission, as such, which would have adversely effected the recruitment process. Even otherwise, once the candidates themselves have chosen not to avail of the benefit which had been granted to them by the Apex Court to appear in the examination, their *locus standi* to challenge the said recruitment process, which has now come to an end, is not justified. No case is, thus, made out to call upon the State to file reply.

Accordingly, the present writ petition is dismissed in limine.

29.09.2021
shivani

(G.S. SANDHAWALIA)
JUDGE