

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

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LPA-902-2021 (O&M)

Date of decision : 28.09.2021

Narender Singh

.... Appellant

Vs.

State of Haryana and Others

....Respondents.

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. Arvind Rajotia, Advocate, for the appellant.

AJAY TEWARI, J. (ORAL)

Taken up through video conferencing.

By this appeal, the appellant has challenged the judgment and order dated 06.11.2019 dismissing the writ petition filed by the petitioner.

The brief facts are that the petitioner had applied for the post of Assistant Professor. Since he was already in Government Service, he had to obtain NOC. As per his case, he had applied for NOC well before the date, but no action was taken thereon and ultimately by the time the NOC was actually issued, it had become too late and he had been rendered ineligible.

Before us learned counsel for appellant has very fairly accepted that no fault can be laid at door of the Haryana Public Service Commission – respondent No.3 herein, because the Haryana Public Service Commission is bound by the Calendar for selection and cannot have an open ended policy to allow candidates to substantiate their eligibility without any reference to the dates. Once that is so the only fault which even as per the petitioner can be apportioned would be only on the respondent Nos. 1 and 2, who as per him delayed the issuance of NOC. Resultantly, the prayer made in the writ petition that he should be considered for appointment cannot be accepted.

Accordingly, the appeal is dismissed.

Since the main case has been dismissed, the pending civil miscellaneous application, if any, also stands disposed of.

**(AJAY TEWARI)
JUDGE**

September 28, 2021
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**(ALKA SARIN)
JUDGE**

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