IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

104 **CWP-17600-2020**
Decided on : 08.02.2021

Anil Kumar ... Petitioner

Versus

State of Haryana & others ... Respondents

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

Present: Mr.Amarjeet Beniwal, Advocate, for the petitioner.

(The proceedings are being conducted through video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

Prayer in the present writ petition, filed under Article 226 of the Constitution of India is for issuance of direction to the respondents to allow the petitioner to participate in the selection procedure against advertisement No.09/2015 published on 23.07.2015 (Annexure P-1) for the post of Trained Graduate Teachers (TGT) for English as per the eligibility specified in the clarifications dated 21.09.2016 (Annexure P-6) and 27.09.2016 (Annexure P-7). Resultantly, one opportunity is sought to consider him eligible to compete with equally placed candidates as he has been debarred in the advertisement.

A perusal of the writ petition would go on to show that in pursuance of the said advertisement, which was published wayback in 2015, written examination was held on 07.02.2016 and candidates who had qualified the same had been called for interview vide the result which had been declared on 11.09.2020 (Annexure P-12). Thus, it is apparent that the selection process has gone far beyond the stage where it can be interfered with, at the instance of the petitioner, at this point of time.

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Counsel for the petitioner has submitted that there is litigation pending in the form of appeal bearing LPA-433-2018.

The said appeal is arising out of CWP-26795-2016 titled *Shikha Rani & another Vs. State of Haryana & others,* decided on 25.10.2017 (Annexure P-9) and therefore, counsel for the petitioner cannot contend that the said writ petition be tagged with the said Letters Patent Appeal. The said petition was filed by the concerned candidates wayback in the year 2016 and the petitioner has slept over his rights and can be termed as a fence sitter and therefore, cannot be held entitled for any benefit, at this stage.

Accordingly, finding no merit in the present writ petition, the same is dismissed in limine.

FEBRUARY 8, 2021 **(G.S. SANDHAWALIA)**
sailesh **JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No

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