

Sr. No. 117

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

**RA-CW-257-2021 in
CWP-24113-2016
Date of decision: 02.12.2021**

Harwinder Singh and others

...Applicants/petitioners

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr.Sardavinder Goyal, Advocate,
for the review applicant-petitioners.

Mr. Vikas Mohan Gupta, Additional A.G., Punjab and
Mr. Abhaypal Singh Gill, AAG, Punjab.

ARUN MONGA, J. (ORAL)

This is an application for reviewing the judgment/order dated
05.07.2021 passed by this Court in CWP No.24113 of 2016.

Having heard the rival contentions, no grounds are made out
to review the judgment dated 05.07.2021, as what has been canvassed by
way of review is nothing but mere repetition of what has already been
argued in the main petition.

However, it seems that in para 4.6 of the judgment, there has
been a mistake in recording that the new conditions were introduced vide
standing order dated 01/2016 whereas the same were introduced vide
amended order No.01 in the month of October, 2016. Accordingly para
4.6 to read as below:-

“4.6. Respondent No.2 later issued an amended Standing Order No.1 in the month of October, 2016prescribing new conditions (dispensing with the interview). These conditions prescribed vide standing order are null and void as the same are not mentioned in the advertisement. It is the advertisement, which has to prevail. Moreover, it is the basic rule that merit is the only criteria for selection. In present case, by issuing the standing order, the merit has been given a go by.”

Correspondingly para 21.2 would read as under:-

“At the time of applying for the posts and participating in the process of selection, the petitioners were though made to understand that as per the advertisement formula of marks would be based on the educational qualifications, height and there would be an interview and the selection would be made only on the basis of their total marks obtained i.e. height measurement, marks obtained in 10+2 examination and interview. However, later on vide amended standing order, interviews were dispensed with.”

Having already rendered, my finding on the dispensing of the interview that the same does not create any prejudice to any of the candidates as the benefit of non-interview has been given across the board to every participant. It is irrelevant whether or not the interview was conducted.

Further more, it is also not comprehensible as to how dispensing with the interview, in any manner, would change the performance of a candidate either in the physical test and/or awarding of marks in the examination of 10+2.

In view of my above discussion, no grounds are made out to interfere in the findings of the judgment. However, the order passed herein shall be read as a sequel to the judgment already rendered.

Disposed of.

02.12.2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No