

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-22911-2021

Date of Decision: 11.11.2021

Sumer Singh

....Petitioner

Versus

Haryana Public Service Commission and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE PANKAJ JAIN**

Present : Ms. Anu Garg, Advocate, for the petitioner.

PANKAJ JAIN, J. (Oral)

By this petition, the petitioner has approached this Court praying for issuance of a writ in the nature of mandamus directing the respondent to accept the online application form dated 03.02.2021 (Annexure P-2) and issue admit card to the petitioner so as to allow him to participate in the preliminary examination of Haryana Civil Services (Judicial Branch) against advertisement No.1/2021 dated 13.01.2021 (Annexure P-1) followed by a corrigendum dated 13.08.2021.

The case of the petitioner is that even though he had submitted his online application form and the same was duly accepted but when he tried to download his admit card, he could not do so.

After he contacted respondent on their customer care number, he was informed that the application form submitted by him, in pursuance of the advertisement, was not in order as he failed to put his signatures on the same.

Thereafter, the petitioner through series of e-mails contacted the respondent-Commission and offered to upload the original form again with

signatures. One of the e-mails sent by the petitioner to the respondent-Commission on 08.11.2021 reads as under:-

“I have submitted my application form as mentioned herein. But I could not download the admit card for the same. Now I have come to know from your customers care no.022 61306209 that my application form may not be uploaded after putting signature on it. Pl. do the needful in this regard. I am uploading the original form with signature again if earlier not upload. I am belong to o.h. Category so fee is exempted.”

To the same effect, he also submitted a representation on 09.11.2021, which is appended alongwith the petition as Annexure P-5.

Learned counsel has argued that the application form may have not been uploaded due to some technical defect and has urged that the said lapse on the part of the petitioner can be condoned and a fresh application form may be accepted.

We cannot accede to the said request made by the petitioner. Needless to say that the public notice dated 13.01.2021 specifically contained the following note:-

“i) XXX XXX XXX
ii) Due care should be taken by the candidates while filling up the online application form. **Incomplete or defective application form shall be summarily rejected.** No representation or correspondence regarding such rejection shall be entertained under any circumstances.”

Even further, the public notice issued by the respondent-Commission dated 28.10.2021 had the following stipulation:-

“XXX XXX XXX

The candidates who find any error which is

attributable to the Commission, with respect to their Name, Category, Date of Birth etc. in their Admit Cards, can contact at helpline No.022-61306209 between 09:00 AM to 6:00 PM for necessary rectification in the Admit Card. Any error committed by the applicant himself/herself at the time of filling the application form will not be rectified. It is made clear that no request for rectification in the Admit Cards will be entertained after 08.11.2021. Candidates are directed that they may download their Admit Card on A-4 size paper so that their photos & other particulars can easily be seen/verified.

XXX XXX XXX.”

Keeping in view the aforesaid facts and circumstances, once the petitioner himself failed to upload the application form as required by the advertisement by the last date as stipulated thereunder, the petitioner cannot now claim that he be allowed to submit the same again. Thus, his claim for allowing him to participate in the aforesaid examination cannot be accepted.

Finding no merit in the claim of the petitioner, the writ is thus ordered to be dismissed.

(AJAY TEWARI)
JUDGE

(PANKAJ JAIN)
JUDGE

11.11.2021
adhikari

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No