

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

LPA-1052-2021 (O&M)

Date of decision : 11.07.2022

Sushil Gahlot

.....Appellant

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. S.K. Nehra Sirsa, Advocate,
for the appellant.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral)

This appeal has been filed by the appellant being aggrieved by the order dated 04.09.2020 passed by the learned Single Bench dismissing the writ petition (CWP No. 13545 of 2020) filed by her. The petition had been filed by the appellant challenging the order dated 28.12.2012 rejecting her candidature for appointment to the post of PGT (English), for which she had applied pursuant to advertisement No.1 dated 07.06.2012 issued by the respondent – authorities.

The learned Single Bench has dismissed the petition of the appellant on the ground that she had approached the Court after a long and unexplained delay of seven years, as her candidature for appointment had been rejected in the year 2013.

Learned counsel for the appellant submits that the only ground on which the appellant is assailing the order passed by the learned

Single Bench is that vide order/communication dated 25.08.2020 certain candidates who had remained absent in the selection process undertaken pursuant to advertisement No.1 dated 07.06.2012 were called to appear before the authorities alongwith self attested photocopy of all the relevant documents. He further submits that if such candidates who could not appear in the selection process are being called by the authorities as late as in August, 2020, the appellant's claim should also have been considered by the authorities on the ground of parity, as she had filed representation before the authorities in the year 2019.

We have heard learned counsel for the parties and perused the record as well as the order passed by the learned Single Bench.

From the facts stated by the appellant as well as the argument raised before this Court, it is clearly established that although the appellant's candidature for appointment to the post of PGT (English) was rejected by the authorities in the year 2013, but she approached this Court after seven years, without any explanation for this long delay, except stating that she had filed representation before the authorities. The submission of learned counsel for the appellant in this regard deserves to be rejected, as the cause of action accrued to the appellant in the year 2013 and mere filing of representation in the year 2019 is not sufficient. Evidently, no other reason has been furnished by the appellant for long delay of seven years to assail the order of rejection of her candidature. It is further observed that the authorities, while considering the claim of the appellant for appointment to the post of PGT (English), had rejected her candidature in the year 2013 on the ground that she did not possess necessary four years PGT experience after PG. On the other hand, the candidates who were called by the authorities vide order/communication

dated 25.08.2020, relied upon by the appellant, were the persons whose claims were not rejected, but who were not considered for appointment on account of the fact that they were absent. In such circumstances, the claim of parity made by the appellant is mis-conceived on the facts of the case, as she is not similarly placed to those candidates who were called for document verification by the authorities vide order/communication dated 25.08.2020, for the reason that the authorities had already considered and rejected her claim in the year 2013, whereafter she did not challenge the same before this Court for a period of seven years.

In these circumstances, we do not find any illegality or perversity in the order dated 04.09.2020 passed by the learned Single Bench, warranting interference by this Court in this Letters Patent Appeal.

The appeal being meritless is, accordingly, dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

July 11, 2022
ndj

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