

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-17484-2022

Date of Decision: 09.08.2022

MONU

...Petitioner

Versus

HARYANA STAFF SELECTION COMMISSION

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Rahul Sidher, Advocate
for the petitioner.

Pankaj Middha, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of *mandamus* directing the respondents to consider representation dated 21.05.2022 (Annexure P-7) seeking re-calculation/re-assess the marks as awarded to the petitioner.

2. Plead case is that pursuant to Advertisement No.04/2018 dated 07.09.2018 (Annexure P-2), petitioner applied for the post of Group-D under B.C.A category and appeared in the written test on 18.11.2018. On the day of declaration of result i.e. 03.08.2019, when he did not find his name in the list of selected candidates, he visited the Office of the respondent-department for correction in his result, followed by representation dated 21.05.2022 (Annexure P-7) but to no avail. Hence the present petition.

3. On advance service of copy of the petition, learned State counsel appears and opposes issuance of notice of motion.

4. Heard.

5. The advertisement is of the year-2018; result was declared in the year-2019 and the present petition has now been filed in the year-2022 i.e. after three years of the declaration of result. The writ petition is thus highly belated and that too, without explaining any delay. Same is thus hit by delay and laches at this stage. Judicial review can-not be sought merely on the ground that some of other candidates, who were declared successful are still being considered, either owing to their being in a waiting list or for other reasons, as is being canvassed. Such a contention, on the face of it, not acceptable, as the petitioner very well knew his result way back in the year-2019, when he was declared un-successful. He was concededly neither on the selected list nor on the waiting list and yet, never challenged the result.

6. Having acquiesced for as long as four years, no grounds to interfere at this stage are made out.

7. Dismissed.

August 09, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No