

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

CWP-21121-2020

Date of decision: 30.08.2022

YADVINDER SINGH

...Petitioner

VS

STATE OF HARYANA AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Sachin Gupta Ladwa, Advocate,
For the petitioner.

Ms. Mamta Singla Talwar, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of certiorari to quash the impugned result dated 27.11.2020 (Annexure P-12) whereby Special Backward Class (SBC) posts were treated under the unreserved/General Category by the Haryana Staff Selection Commission.

2. Learned counsel for the petitioner submits that petitioner was an applicant for the post of Tracer for which 42 posts were advertised. The petitioner secured 142 marks (Annexure P-9) and as per the result declared on 31.03.2018 (Annexure P-11), last candidate called has got 146 marks. Thereafter, as per the decision dated 27.11.2020 (Annexure P-12), 16 SBC category posts have been treated as general category posts and the last candidate now has got 144 marks. It is submitted that objections as such had been filed on 22.06.2017 (Annexure P-10) against question no.4 on account of the incorrect version of Hindi question before the final declaration of

result, on which no action has been taken. If the benefit is given of two marks, the petitioner would make the cut.

3. Learned State counsel strenuously opposes the petition and has canvassed arguments on similar lines as stand taken in the written statement already filed.

4. I have heard learned counsel for the parties and gone through the case file.

5. I am unable to persuade myself with the contentions of learned counsel for the petitioner that the objections given by the petitioner contained in para 9 were not dealt with. A bare perusal of the reply would reveal that para 8 of the same wherein objections (Annexure P-10) have been recited and would reflect that objections were duly dealt with.

6. In fact, it would be apposite to reproduce the relevant portion of response dated 08.03.2022, as below:-

8. That the petitioner in para no.8 of his writ petition contended that the petitioner got the question paper in Hindi medium. And the question No.4 of Series D is wrong. In this regard, it is submitted that the petitioner is misleading the Hon'ble High Court by presenting the wrong facts that the petitioner got question paper in Hindi language which is also evident from the Annexure P-7 of the present writ petition. In this case of any discrepancy between the English and Hindi versions of any question, the English version will be treated as final/authentic.

Further, it is worthwhile to mention here that the petitioner is an educated person as he mentioned in his present writ petition at point No.2 that he is qualified having educational qualification of 10th, 10+2, B.Com with computer application. Thus, the petitioner is very well known to English language and still twisting the facts by trying to take undue benefits from the Hon'ble Court when he fails to fall in selection zone. So, this contention of the petitioner is wrong and hence denied. Furthermore, the written examination for the post in question was held on 21.05.2017 and result of written examination was declared on 19.08.2017. So, in view of this petitioner was having sufficient time to file writ petition regarding his grievance but

petitioner has not done the same and filed writ petition in after 3 years. Moreover the Court also not assist those persons who sleep over their rights. Therefore, the petitioner is not entitled for any relief from the Hon'ble Court and same is liable to be dismissed on this ground."

7. To the aforesaid pointed stand taken by the respondents, no replication and/or further affidavit has been filed. In any case, this Court is not to superimpose its own opinion over those of the experts who have duly gone through the objections and have given their response. Selection also pertains to the year 2017. It is too belated, in any case, at this stage to interfere under extraordinary writ jurisdiction.

8. Dismissed.

(ARUN MONGA)
JUDGE

August 30, 2022

Vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No