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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(106)

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Date of decision : 19.04.2023

Atul

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Deepak Girotra, Advocate with
Mr. Rishab Goyal, Advocate
for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

...

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed seeking issuance of a writ in the nature of mandamus directing the respondents to call the petitioner for conducting his interview for the post of Taxation Inspector.
2. Petitioner is an applicant for the post of Taxation Inspector in EBPGC category pursuant to Advertisement No.11/2015 dated 01.12.2015, Annexure P-1. He successfully cleared the written examination and was called for interview. However, due to his mother's ailment, he could not appear on the date fixed for interview on 06.12.2017. Subsequently, in compliance of direction passed by this Court, Commission – respondent No.2 issued notice dated 05.02.2021, Annexure P-7, calling 50 candidates

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for interview for the post of Taxation Inspector. When the petitioner came to know about the ongoing recruitment process, he submitted the application dated 08.02.2021, Annexure P-8, with respondent No.2, requesting for participation in the interview process.

3. Upon notice, the writ petition has been contested by respondents No.1 and 2 by filing separate counters. It has been submitted that as the petitioner remained absent on the date specified for the interview, his candidature could not be considered.

4. I have heard counsel for the parties and their respective submissions.

5. From the material placed on the record, it is evident that in the interview notice dated 27.11.2017, Annexure P-4, it was clearly mentioned that:

“2. In case a candidate does not appear for Viva Voce/interview, he/she shall be given no further opportunity thereafter.”

6. As the petitioner did not appear for interview on the stipulated date, there is no equity in his favour. Furthermore, it may be noticed that the petitioner was required to appear in December 2017. However, he submitted a representation on 08.02.2021, Annexure P-8. A candidate, who is desirous of a public appointment is expected to remain alert and act in time. Law helps those, who are vigilant, and will not come to the aid of a person, who sleep over his rights. Furthermore, process of scrutiny of documents, which have been conducted by respondent No.2 in February

2021, was in compliance of the direction passed by this Court in the writ petitions preferred by the candidates, who approached the Court asserting their rights, but the petitioner was not a party to these proceedings.

7. In view of the above discussion, this Court is of the view that the petition being meritless, deserves to be dismissed.

8. Ordered accordingly.

(SUVIR SEHGAL)
JUDGE

19.04.2023
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes