

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

CWP No.4701 of 2019 (O&M)

Date of Decision.17.03.2023

Manju

...Petitioner

Vs

Haryana Staff Selection Commission

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

The present writ petition has been filed seeking a writ in the nature of certiorari for quashing the interview notice dated 11.02.2019 (Annexure P-9) vide which the petitioner was not called for interview, despite being eligible.

In brief, facts, as stated in writ petition, are that the petitioner had applied for appointment to the post of Accountant (Category No.18) under BCA Category in pursuance to the advertisement issued on 26.11.2015. The petitioner had cleared the written examination and thereafter, was called for scrutiny of documents, however, she could not appear for the same on the designated day, due to the fact that her ring ceremony was scheduled for the same date i.e. 02.11.2018. She preferred various representations, one of them being dated 26.11.2018, apprising the respondent authorities that her absence was not intentional as she could not appear owing to the aforesaid fact and therefore, she may be given a chance to appear for interview. She was not called for interview, despite the fact that she had secured more marks in the written examination than the last selected candidate under BCA category. Aggrieved against the aforesaid action of the respondent, present writ petition has been filed.

On 21.02.2019 when the writ petition came up for preliminary hearing, counsel appearing for the petitioner had submitted that the petitioner, who had applied for the post of Accountant under BCA category, could not put in appearance on the date when the petitioner had been called for scrutiny of documents, as her engagement had been fixed for the same date. The Coordinate Bench issued notice of motion and in the meantime, directed respondents to scrutinize the documents of the petitioner and interview her provisionally. The result of the petitioner was to be kept in a sealed cover. The matter was taken up on 17.01.2023, on which date, there was no representation on behalf of the petitioner, however, in the interest of justice, matter was adjourned for today i.e. 17.03.2023 with a direction that result of the petitioner be produced in Court in a sealed cover.

Today, the matter is taken up on its turn, however, no one has put in appearance on behalf of the petitioner. Result of the petitioner has been produced in a sealed cover and opened in the court, which would reflect that the petitioner, who had applied under BCA category has obtained 108 marks, however, she was not found eligible in scrutiny of documents. However, as per the reply filed, petitioner has been found not eligible, as the petitioner while applying online had filled up the application form under BCA category and mentioned BCA Certificate No.RANIA/BC/09/1288 in the relevant column but the said certificate was not attached with the application form. The said document was also not produced at the time of scrutiny neither has same been attached with the present writ petition. The petitioner seeks to rely upon BCA certificate No.BC/2017/121, which has been issued after cut-off date.

No one has put in appearance on behalf of the petitioner and in view of the result produced and reply filed by the respondent-State, that the petitioner

had not uploaded the BCA certificate as relied upon by her and subsequent BCA certificate being issued after the cut off date cannot be considered, this Court finds no merit in the writ petition.

Consequently, the writ petition stands dismissed.

(JAISHREE THAKUR)
JUDGE

March 17, 2023

Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No