

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-8234-2023 (O&M)

Date of Decision: 11.05.2023

POONAM KUMARI AND ORS

... Petitioners

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ravinder Singh Dhull, Advocate
for the petitioners.

Mr. BR Mahajan, Advocate General with
Mr. RS Budhwar, Additional AG Haryana and
Mr. Deepak Balyan, Additional AG Haryana
for respondents No.1, 2 and 4.

Ms. Harpriya Khaneka, Advocate
for respondent No.3-HPSC.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of a writ in the nature of Certiorari quashing the criteria dated 20.03.2023, 29.03.2023 and 06.04.2023 (Annexures P-10, P-14 and P-15) issued by respondent No.3-Haryana Public Service Commission (hereinafter referred to as respondent-Commission), vide which the criteria for the written examination against advertisement No.13/2019 has been modified.

Learned counsel for the petitioners submits that against advertisement No.13/2019 dated 26.08.2019, the petitioners had applied for the posts of Post Graduate Teachers (PGTs) in the respective subjects and categories; that the said advertisement was withdrawn vide notice dated 30.03.2022; that as per the said notice, relaxation in respect of age

and fee was to be given to the applicants, who had earlier applied for the posts of TGTs and PGTs against advertisement Nos.13/2019, 01/2020 and 01/2021; that the posts in question were re-advertised vide advertisement No.32/2022 dated 19.11.2022 by respondent-Commission; that in advertisement No.32/2022, there was no specific criteria for conducting the examination; that vide announcement dated 25.11.2022, the last date for submission of online forms was extended upto 25.12.2022 and that vide announcement dated 13.12.2022, the criteria for examination was changed from the one mentioned in the earlier advertisement No.13/2019. He further submits that vide announcement dated 27.12.2022, the last date for submission of online application forms was further extended upto 01.01.2023; that again vide announcement dated 16.03.2023, the earlier announcement made on 13.12.2022 laying down the pattern and scheme for the recruitment/examination, had been withdrawn and that vide announcement dated 20.03.2023, a new scheme/pattern of the examination was announced. Still further, vide announcement dated 29.03.2023, the respondent-Commission partially modified the scheme/pattern of the examination stipulated vide announcement dated 20.03.2023. He further submits that again on 06.04.2023, the complete scheme/pattern of examination, as modified vide announcement dated 29.03.2023, has been published.

Learned counsel for the petitioners while referring to the aforesaid factual position submits that the respondent-Commission has been continuously changing the rules of the game, after the game has already started, which is totally illegal, arbitrary and unjust.

Vide order dated 20.04.2023, this Court, while issuing of notice of motion had stayed the recruitment process.

Today, Learned Advocate General, Haryana, makes a statement that the respondents have decided to withdraw the advertisement impugned herein and a fresh advertisement, after taking into consideration all the issues, will be published within a short span of time.

In view of the said statement made by the Learned Advocate General, no further orders are called for in the present writ petition.

Disposed of.

11.05.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No