

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 122

Civil Writ Petition No.13893 of 2023
Date of Decision: July 05, 2023

Bhawana

..... PETITIONER(S)

VERSUS

State of Haryana and another

..... RESPONDENT(S)

...

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

...

PRESENT: - Mr. Anshul Bhagla, Advocate for Mr. Chanderhas Yadav,
Advocate for the petitioner.

Mr. Harish Nain, DAG, Haryana.

. . .

Tribhuvan Dahiya, J. (Oral)

This petition has been filed seeking writ of *mandamus* directing the respondent No.2 to consider petitioner's experience certificate for selection on the post of TGT Physical Education advertised vide advertisement No.2/2023 (Annexure P-8).

2. As per facts apparent on record, the posts in question were advertised on 21.02.2023, and the last date for submission of the forms was 15.03.2023. There was a clear stipulation in the advertisement that after closing date of registration, no change/correction/modification would be allowed under any circumstances. The candidates were also required to ensure that before submission of online application they have checked all the details, in each field of the form, to be correct. The petitioner submitted her form on 14.03.2023 (Annexure P-9) without claiming any experience of service.

3. Learned counsel for the petitioner contends that the

petitioner has worked as Physical Training Instructor from 22.04.2011 to 01.06.2020, and experience certificate dated 22.01.2021 (Annexure P-6) was issued to her by the concerned authorities. The form in question was got uploaded by the petitioner through a cyber cafe, and the person concerned forgot to upload the said experience certificate along with the form. She came to know about it only after the closing date and submitted a representation dated 24.03.2023 (Annexure P-11) in that regard to the respondents, which has not been decided so far. He further contends that it is only on account of mistake of the person at the cyber cafe that the experience certificate could not be uploaded, causing grave prejudice to the petitioner. Therefore, she should be allowed to add the experience certificate to the form by rectifying the same, and the benefit for experience should be given to her at the time of selection.

4. Learned State counsel appearing on advance notice submits that there is no such procedure to rectify the form once it has been submitted. There is a clear stipulation to that effect in the advertisement itself, which clearly states that after closing date of registration no change/correction/modification in the form will be allowed under any circumstances. He has further pointed out that the application form filled up by the petitioner itself shows that it was not filled through a cyber cafe, as the petitioner has ticked the relevant column in the negative to indicate that the form was not filled through a cyber cafe. Therefore, the petitioner is not entitled for any rectification.

5. The submissions made by learned counsel for the parties have been considered.

6. Apparently, there is a clear stipulation that no modification

or rectification can be allowed in the form after the closing date of registration. The petitioner knowingly filled-up the form giving the particulars, and the said experience certificate dated 22.01.2021 was also in her possession at that time; still, she neither claimed any experience nor uploaded the said certificate. Assertion of learned counsel for the petitioner that the form was filled through a cyber cafe, and the person uploading the form inadvertently failed to upload the experience certificate, is also false as evidently the form was not filled in that manner.

7. In view thereof, there is no ground to entertain the petition.
8. Dismissed.

(Tribhuvan Dahiya)
Judge

July 05, 2023
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>