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

CWP-14088-2018

Date of Decision: 29.11.2023

Jitender and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Keshav Gupta, Advocate
for the petitioners.

Mr. Harish Rathee, Sr. D.A.G., Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge is to the selection to the post of Heavy Vehicle Drivers as advertised by the respondents vide advertisement No.4/2017 dated 18.05.2017.

2. Learned counsel for the petitioners argues that while conducting the selection process for the drivers, a fraud has been played while conducting the driving test, which has led to the filing of an FIR as well and one person was arrested, hence, as there were allegations with regard to the conduct of the driving test, the selection which has been made by the respondents, is liable to be set aside.

3. Upon notice of motion, the respondents have filed the reply in which the respondents have mentioned that as per the advertisement, every candidate who is competing for the post in question has to undergo a driving test and qualifying the same keeping in view the parameters laid down for clearing the said driving test. The respondents in

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paragraph-9 of their reply have mentioned that all the petitioners failed in the Driving Proficiency Test. As per the respondents, once the petitioners failed to clear the Driving Proficiency Test, the petitioners could not be considered eligible for further selection process.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. It is not a disputed fact that for appointment to the post of driver, a candidate was required to undergo a Driving Proficiency Test. It is also a matter of fact that the petitioners appeared in the said test but failed to clear the same. That being the factual aspect, once the petitioners failed to clear the Driving Proficiency Test, they could not have been allowed to participate further for the post of Heavy Vehicle Driver.

6. Keeping in view the facts mentioned hereinbefore, no interference is called for by this Court in the facts and circumstances of the present case specially when the petitioners have failed to Driving Proficiency Test.

7. Dismissed.

29.11.2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No