

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.:137

Civil Writ Petition No.14876 of 2023
Date of Decision: July 17, 2023

Ashwani and others

..... PETITIONER(S)

VERSUS

State of Haryana and others

..... RESPONDENT(S)

. . .

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

. . .

PRESENT: - Mr. Sarthak Gupta, Advocate for the petitioners.

Mr. Ravi Partap, DAG, Haryana for respondents
No. 1 & 2.

Mr. Kanwal Goyal, Advocate for respondent
No.3-HPSC.

. . .

Tribhuvan Dahiya, J. (Oral)

The claim raised in the instant petition, as argued by learned counsel for the petitioner, is that the impugned advertisement dated 24.06.2023, Annexure P-15, which has been issued after the earlier advertisements No.13 of 2019 and No.32 of 2022 were withdrawn, is illegal and deserves to be quashed.

2. It has been contended by the learned counsel that this advertisement incorporates a scheme/pattern of exam, which is the same as was prescribed by the respondents in the earlier advertisement No.13 of 2019. This could not have been done because the petitioner had earlier approached this Court by filing CWP-8166-2023 titled *Ashwani and others v. State of Haryana and others*, which was disposed of vide order dated 11.05.2023, on the basis of a statement made by the Advocate General, Haryana, that the respondents had decided to withdraw the advertisement impugned therein and issue a fresh one after taking into consideration all the issues. It is further contended by the learned counsel that after withdrawing

the earlier advertisements and making a statement before this Court, the instant advertisement prescribing the scheme/pattern of exam could not have been issued by the respondents. Also, notifying the criteria for selection in the impugned advertisement amounts to changing the rule of the game after beginning of the selection process.

3. It is apparent on record that the earlier advertisement issued by the respondents were withdrawn after a statement to that effect was made by the Advocate General, Haryana, before this Court. In terms of the statement a fresh advertisement has been issued which is impugned herein. Learned counsel for the petitioner is not able to point out any illegality in the scheme/pattern of exam, which includes screening test, subject knowledge test and interview/*viva voce* of the applicants/candidates. Merely because the criteria prescribed in the instant application is the one which might have been prescribed in the earlier advertisements also, in itself does not indicate any illegality about it. Nor can it be said that by issuing selection criteria in the impugned advertisement, the respondents have changed rules of the game after it has begun. As a matter of fact, the selection process commenced by issuing of the advertisement, which prescribes the criteria as well. No change subsequent thereto has taken place nor anything in that regard could be pointed out by the learned counsel. The arguments, therefore, have no substance, and are hereby rejected.

4. In view thereof, there is no ground to entertain the petition.

5. Dismissed.

(Tribhuvan Dahiya)
Judge

July 17, 2023
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