

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

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**CWP No. 17876 of 2023
Date of Decision : 21.8.2023**

*Pardeep and another**..... Petitioners**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Amit Dhanda, Advocate, for the petitioners
Mr. Harish Nain, AAG, Haryana
Mr. Kanwal Goyal, Advocate, for respondent no.3
Ms. Divya Godara, Advocate, for respondent no.4

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed seeking a writ of *mandamus* directing the Commission to accept hard copies of the petitioners' application forms for the post of Post Graduate Teacher-Physical Education for Rest of Haryana cadre as well as Mewat cadre, against advertisement no.31 of 2023 dated 24.6.2023 (Annexure P-1).

2. Learned counsel for the petitioners contends that the petitioners could not submit the application forms before the last date, i.e., 18.7.2023, since their provisional result was declared only subsequently on 28.7.2023. Therefore, they should now be permitted to do so.

3. Learned counsel for the Commission, appearing on advance notice, contends that cut-off date cannot be extended. Even if the petitioners' result was not declared, that cannot be a ground to accept the forms beyond the cut-off date. It will be discriminatory against so many other similarly placed candidates whose results could not be declared

before the cut-off date.

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

5. It is well settled law that last date for submission of application forms notified vide an advertisement for the post, is not to be disturbed/extended. In somewhat similar circumstances as arise in the instant case, a coordinate Bench of this Court in CWP No.9972 of 2022 titled *Niharika Rawat and others v. State of Haryana and another*, has held thus:

12. Also I am in agreement with the argument canvassed by the learned counsel for the respondent-HPSC that in matters of determining the cut-off date in any competitive examination, there has to be certain inherent randomness to fix a particular date or else it would always give rise to unnecessary confusion. By each day, many of the candidates become eligible either by virtue of their age or by virtue of their academic qualification and/or obtaining degrees, as the case may be, and therefore, the ever-shifting dates would result not only in discrimination but also leave a lot of room for interplay, to make certain candidates either eligible who are younger in age or ineligible who are older in age.

6. This Court is in agreement with the view taken in *Niharika Rawat* case (*supra*). Therefore, the late declaration of the petitioners' provisional result by the University cannot be a ground to extend the cut-off date and permit them to submit the application forms.

6. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

21.8.2023

Ashwani