

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

CWP No.8901 of 2017 (O&M)

Date of Decision.21.03.2023

Manoj Kumar

...Petitioner

Vs

Uttar Haryana Bijli Vitran Nigam Limited and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

The petitioner herein by way of instant writ petition seeks a direction to be issued to Haryana Staff Selection Commission-respondent No.3 to include name of the petitioner in the list of candidates called for scrutiny of documents/interview for selection to the post of Lower Division Clerk (LDC) and Upper Division Clerk (UDC) under Category No.3 and 2 of Advertisement No.3 of 2016.

As per pleadings of the case, petitioner was successful in the written examination conducted for the aforesaid posts and was called for scrutiny of documents but did not report for scrutiny of documents as he did not have computer course from NIELIT or HARTRON. It is pleaded that some persons, who had got their computer certificates from other institutes and not from NIELIT or HARTRON have been declared as eligible and therefore, candidature of the petitioner would have been considered as well.

At this stage, it would be pertinent to note that no one had put in appearance on behalf of the petitioner on the last date of hearing and position is not different today.

As per the reply filed on behalf of respondent No.3, it is submitted that the petitioner had applied for the post of UDC against category No.2 and for the post of LDC against category No.3. The successful candidates including the petitioner in the written examination were called for scrutiny of documents from 07.03.2017 to 10.03.2017, however, the petitioner did not deliberately appear for scrutiny of documents. The petitioner herein, in view of interim order dated 28.04.2017 passed in the instant writ petition, was provisionally interviewed on 08.12.2017 for the post of UDC, however, his candidature could not be considered for the post in question as he remained absent for scrutiny of documents. Moreover, the writ petition i.e. CWP No.5860 of 2017 in terms of which interim order had been passed in the instant writ petition, already stands dismissed. As regards the post of LDC, candidature of the petitioner could not be considered as he did not appear for interview, despite calling him number of times for scrutiny of documents/interview.

It is submitted that in the notice dated 04.02.2017, it had been made abundantly clear that in case a candidate does not appear for scrutiny of documents, he/she will not be considered for viva voce/interview and no further opportunity will be given thereafter. Moreover, the respondent-Commission had issued a public notice on 18.02.2019 in compliance of orders passed by this Court in various writ petitions that any candidate having order from any court of law for scrutiny of documents-cum-interview, he may appear for scrutiny of documents-cum-interview along with court order and all relevant documents on 25.02.2019. Despite the aforesaid notice, petitioner again did not put in appearance. Thereafter, again vide notices dated 16.06.2019, 30.07.2019, 21.08.2019 and 29.01.2010, respondent-Commission granted opportunities to the candidates to appear for scrutiny of documents but petitioner did not turn on any occasion.

Even vide letter dated 09.06.2021, petitioner was personally informed to come and appear for interview in the office of respondent-Commission but he again remained absent.

In view of the fact that the petitioner himself did not appear for scrutiny of documents/interview even after having been granted numerous opportunities, relief claimed by him cannot be granted in the writ petition. Consequently, the instant petition stands dismissed.

(JAISHREE THAKUR)
JUDGE

March 21, 2023
Pankaj*

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