

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

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**CWP No. 18652 of 2023
Date of Decision : 24.08.2023**

*Poonam Devi @ Poonam**..... Petitioner**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Suresh Kumar Kaushik, Advocate, for the petitioner

Mr. Ravinder Singh Budhwar, Addl. AG, Haryana

Mr. Kanwal Goyal, Advocate,
Mr. Govind Tanwar, Advocate and
Mr. Shobhit Rapria, Advocate, for the respondent-HPSC

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed seeking a writ of *mandamus* directing the respondents to accept the petitioner's application for the post of PGT-History as advertised vide advertisement no.28 of 2023, dated 24.06.2023 (Annexure P-4).

2. Learned counsel for the petitioner contends that the petitioner could not inadvertently submit/upload the application form for the advertised post prior to the cut-off/closing date, 18.07.2023. The petitioner had earlier applied for the post in question in response to advertisements No.13 of 2019 and 32 of 2022. However, the same were withdrawn to issue the instant advertisement, and as per terms notified, the petitioner's eligibility, age and qualification of HTET will be considered as on the closing date of the respective advertisements against

which he had earlier applied. By referring to announcement/notice issued by the Commission, dated 22.08.2023 (Annexure P-7), learned counsel also contends that certain other candidates, who earlier approached this Court by filing writ petitions, are being permitted to submit their forms even beyond the closing date, up to 25.08.2023. Therefore, the petitioner should also be allowed to submit the form now, after the closing date.

3. Learned counsel for the Commission, appearing on advance notice, points out that the announcement dated 22.08.2023 in only for the candidates who had approached this Court by filing writ petitions prior to the closing date, 18.07.2023, and were provisionally permitted to submit the application forms pending decision on their writ petitions. In none of those cases the petitioners had approached this Court after the closing date, nor did the Commission permit any candidate to submit application form after that date.

4. Heard.

5. The issue raised in the petition, already stands adjudicated against the petitioner in CWP No. 16440 of 2023 titled *Reena Kumari v. State of Haryana and another*, decided on 17.8.2023, holding that application forms cannot be accepted beyond the closing date notified in the advertisement. Besides, even if the petitioner was an applicant for the post in question pursuant to earlier advertisements, he was required to submit an application afresh in response to the instant advertisement before the closing date, as has been specifically provided in it. Only then his eligibility, age and qualification, etc. could have been considered as per the closing date of the earlier advertisements against which he had applied. Undisputedly, the petitioner failed to apply for the post before the

closing date and take benefit of the said relaxation.

6. Further, the announcement, dated 22.8.2023, does not give any right to the petitioner to submit the application form beyond the closing date. It has been notified only to give effect to the interim orders passed by this Court before the closing date, permitting provisional submission of forms only by the applicants who were petitioners in the writ petitions mentioned therein. It does not extend the closing date; instead, only facilitates submission of forms by such applicants whose right to be provisionally considered for the post stood granted by this Court before that date. The petitioner cannot claim any parity with such candidates, as he has filed the petition much after the closing date for submission of forms.

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

8. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

24.08.2023

Ashwani

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