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

LPA-429-2018 (O&M)

Date of decision:22.02.2023

MANJEET SINGH

... Appellant

Versus

HARYANA PUBLIC SERVICE COMMISSION AND ANR ... Respondents

CORAM: HON'BLE MR. JUSTICE M.S. RAMACHANDRA RAO,
HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

Present: Ms. Anita Balyan, Advocate
for the appellant.

Mr. Akshaydeep Singh Balyan, Advocate
for the respondent No.1-HPSC.

M.S. RAMACHANDRA RAO, J. (ORAL)

Heard both sides.

This Letter Patent Appeal is preferred challenging order
dt.30.01.2018 in CWP-780-2018.

Advertisements were issued in newspapers inviting applications for
filling up Posts of Deputy Superintendent of Jail (Male) on 26.10.2016.

One of the requirements of the selection process was a physical
examination.

Apart from inviting applicants to come for the physical examination on its
website, the respondent also published advertisements dt.08.12.2017 in the

Tribune Daily Newspaper, in the Daily Dainik Jagran and in the Times of India on 12.12.2017 asking the applicants to come for the physical measurement test.

The appellant claims that he has not noticed these advertisements or the invitation put on the website by respondent No.1-Commission.

He filed the CWP-780-2018 contending that he should be permitted to undergo the physical examination on a sympathetic grounds since he is from a rural background, but the learned Single Judge in the impugned order doubted whether the appellant could be permitted to be put to physical measurement test at that stage on the ground that cut off dates in the direct recruitment processes are sacrosanct and have to be followed without departure. He also held that if the appellant is now allowed to undergo the physical measurement test on sympathetic grounds, it would open the pandora's box, and other people will also claim similar relief thereby delaying in the selection process.

The learned Single Judge thus dismissed the Writ Petition.

Challenging the same, this appeal is filed.

The learned counsel for the appellant reiterated that the appellant, being from a rural background, his case deserves sympathetic consideration and he cannot be permitted to lose a valuable opportunity to secure a Government job in view of the delay between the date of the advertisement on 26.10.2016 and the date when the Newspaper advertisements were issued on 08.12.2017 calling the applicants for physical measurement test.

We are afraid, we cannot accept the said contention because though there is some delay in inviting the applicants for physical measurement test, since adequate publicity was given by publication in Daily Newspapers apart from

informing it on the website of respondent No.1-Commission, no further opportunity can be given to applicants like the appellant.

This is because cut off dates in direct recruitment process are sacrosanct and need to be followed without departure. Counsel for respondent No.1 informs that even the final selections have occurred on 18.09.2020. In case his case is considered at this stage it would open up a pandora's box and other people may claim similar benefit and that would jeopardize public interest.

Therefore, we find no merit in the appeal and the same is accordingly dismissed.

All pending CMs, if any, shall stand disposed of.

(M.S. RAMACHANDRA RAO)
JUDGE

(SUKHVINDER KAUR)
JUDGE

22.02.2023

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