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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision: 17.10.2023

Vinod

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Kuldeep Sheoran, Advocate for the petitioner

Mr. Sanjeev Kaushik, Addl. AG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

1. This petition has been filed seeking a writ of *certiorari*, quashing the final result dated 15.11.2018, Annexure P-9, as well as subsequent revised results/waiting result for the post of PGT Political Science against advertisement No.4 of 2015 dated 28.06.2015.
2. Learned counsel contends that the impugned selection result is liable to be set aside because the criteria of selection adopted by the Commission is in violation of law laid down by the Supreme Court in *Ashok Kumar Yadav and others v. State of Haryana and others*, (1985) 4 SCC 417. As per the criteria notified, twenty four marks have been given for viva voce examination, which is more than the limit of 12.2 per cent of total marks set in the judgment aforementioned. It is further contended by learned counsel that the advertisement No.4 of 2015, did not specify how many marks are to be

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awarded for the requisite experience to the applicants. Without doing so, they could not have prescribed sixteen marks for experience in the criteria for selection. On these accounts, the entire selection is vitiated, and the final result deserves to be quashed.

3. Heard.

4. It is not disputed at the Bar that the posts were advertised on 28.06.2015 vide advertisement No.4 of 2015. The petitioner was an applicant for the same. He remained unsuccessful as per the final result declared on 15.11.2018. The petition has been filed after inordinate delay of more than four and a half years of declaration of result, and more than nine years of publication of the advertisement. The entire selection pursuant to the advertisement stands finalised and the selected candidates have also been given appointment. This itself disentitles him from filing the instant petition. Further, once the petitioner has participated in the selection process and remained unsuccessful, he cannot turn around and challenge the same selection.

5. In view thereof, no ground to entertain the petition is made out.

6. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

17.10.2023
Payal

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>