

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CWP No. 346 of 2024
Date of Decision : 09.01.2024

Savita

...Petitioner

Versus

Haryana Public Service Commission and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Pardeep Sharma, Advocate for the petitioner.

Ms. Harpriya Khaneka, Advocate for the respondent-HPSC.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance of the petitioner is that the speaking order, which has been passed by the respondents on the representation of the petitioner dated 12.12.2023 (Annexure P-5) is liable to be set-aside as, due opportunity has not been given to the petitioner to participate qua the post of District Programme Officer (Female), which are to be filled up in the Department of Women & Child Development, Haryana.

2. Learned counsel for the petitioner argues that against the 04 posts advertised, the petitioner raised her claim for consideration in the General Category by filing due application. Learned counsel for the petitioner submits that the petitioner has not been given due opportunity

to compete for the said posts as, out of 361 candidates, who had applied for the posts in question, candidature of 339 has been rejected by the Commission and only 20 candidates were found eligible to participate for the posts in question, which was arbitrary and illegal. Learned counsel submits that the respondents had already decided to oust the petitioner from the zone of consideration.

3. Keeping in view the advance copy given, the respondent-Commission have appeared and defended their order. Learned counsel for the respondent-Commission submits that though, in order to shortlist the candidates as 361 candidates had applied against 04 posts and all the candidates could not have been allowed to compete, hence to restrict the number of candidates, a formula was adopted by the respondents under which 339 candidates could not fulfill the said shortlisting criteria.

4. Learned counsel for the respondent-Commission submits that as large number of candidates were being ousted, the said criteria of shortlisting was subsequently done away with and all the candidates, who appeared including the petitioner were allowed to participate in the selection process, hence the petitioner and other candidates appeared for the screening test, which was conducted by the respondents.

5. Learned counsel for the respondent-Commission submits that in the screening test, only 11 candidates could clear the same so as to be allowed further participation in the selection process, hence, the criteria has been applied for uniformly on all the applicants including the petitioner.

6. I have heard learned counsel for the parties and have gone through the record with their able assistance.

7. The only right which a candidate has is to claim the participation in the selection process as per the terms and conditions of the advertisement. In the present case, it is a conceded position that the petitioner was eligible to participate for the post in question but the respondent-Commission had full right to shortlist the candidates so as to allow further participation.

8. In the screening test conducted by the respondents, the petitioner was allowed to participate along with other applicants and none of the applicants were restrained from participating in the screening test, though, at one given point of time, as per the shortlisting criteria, only 20 candidates were found eligible to compete for the post, which shortlisting criteria was not made operational.

9. Once, the petitioner has undertaken a screening test but could not clear it, hence no grievance can be made as the criteria for holding the selection has been applied uniformly on all the candidates. As per the respondent-Commission only 11 candidates had cleared the screening test so as to allow them for further participation and hence, the claim of the petitioner that she should also be called for the subject knowledge test, which is now fixed by the announcement dated 15.12.2023 (Annexure P-7), cannot be accepted.

10. Keeping in view the above, no ground is made out for any interference by this Court in the present petition.

11. Dismissed.

January 09th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No