

121

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-1668-2024

Date of Decision:25.01.2024

PAPPU

..... Petitioner

Versus

UNION OF INDIA AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Naveen Sheokand, Advocate
for the petitioner.

Ms. Geeta Singhwal, Senior Panel Counsel
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to consider candidature of the petitioner which has been rejected on account of mismatch in the data furnished by the petitioner.
2. The petitioner pursuant to an advertisement dated 31.07.2023 (Annexure P-1) applied for the post of Gramin Dak Sevak (GDS). The application was filed online. The petitioner was shortlisted for document verification and he was called to appear before authorities at Bikaner on 16.09.2023. The petitioner submitted documents relating to his qualification. The respondent rejected application of the petitioner on the ground that data entered in the application does not tally with the documents produced.
3. Learned counsel for the petitioner submits that the

respondent has rejected candidature of the petitioner on the ground that he has not secured marks in co-curricular activities whereas in the application form he has disclosed 10 marks. It was a typing error and mistake was inadvertent.

4. From the perusal of secondary examination certificate of the petitioner, it appears that he was having subject Music apart from other subjects whereas in the application form he has disclosed Sanskrit instead of Music. The petitioner had not secured 10 marks in co-curricular still he has disclosed 10 marks in the application form. Clause 8(ix) of the advertisement provides that applications submitted without complete data will be rejected. It has been further directed that in case an applicant uploads wrong documents/information, his candidature will be rejected. Sub-Clause (x) of Clause 8 further provides that if at the time of verification of documents, data/marks/ subjects fed in the portal are found mismatched with original documents, candidature will be rejected.

For the ready reference, the Sub-clauses (ix) and (x) of Clause 8 of the advertisement are reproduced as below:

“8. Selection Criteria

XXX XXX XXX XXX

(ix) Applications submitted without complete data will be rejected. In case an applicant uploads wrong documents/information and unnecessary documents, his/her candidature will be rejected.

(x) At the time of verification of documents upon shortlisting of an applicant if the data/marks/subjects fed in the Portal are found mismatched with original documents, his/her candidature will be rejected even if there is small spelling error in name of applicant, father/mother name etc. or whether such data is

crucial for determining the merit or otherwise.”

5. From the afore-cited clauses, it is evident that petitioner was duty bound to furnish correct information in the application form. The petitioner has incorrectly disclosed subjects which he studied in his secondary examination as well as wrongly claimed 10 marks for excellence in co-curricular activities. As per advertisement even small spelling error in the name of applicant, father/mother name cannot be cured and in the case of petitioner there are glaring mistakes. This Court cannot ask the respondent to act contrary to advertisement especially when the mistakes are not *prima facie* minor.

5. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

25.01.2024
Ali

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