

CWP-4924-2024 &
CWP-4944-2024 &
CWP-5110-2024

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2024:PHHC:036980

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111+112+113

CWP-4924-2024
Date of Decision :14.03.2024

Anil Kumar and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CWP-4944-2024

Manish and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CWP-5110-2024

Ajay Singh Chhoker

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. K.D.S. Hooda, Advocate for the petitioners.

Mr. Harish Nain, AAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

1. By this common order, above mentioned three writ petitions are being disposed of as all the writ petitions involve same question of law on similar facts.

2. In the present petitions, grievance of the petitioners is that they have not been called for written examination, which was conducted for making selection for the post of Junior Engineers (Civil) and Junior Engineers (Electrical), which examination was conducted on 18.02.2024.

3. Learned counsel for the petitioners submits that though, the written examination has already been conducted on 18.02.2024 and the present petitions were filed a week after the conduct of the said written examination but keeping in view the fact that as the petitioners have not been allowed their rightful claim to appear in the said written examination, which has been held on 18.02.2024, the same be declared illegal and respondents be directed to conduct the said written examination afresh.

4. Notice of motion.

5. Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that the Common Eligibility Test 2022 was conducted in order to shortlist the candidates for the post in question and the shortlisted candidates were to be called for written examination and the result of the examination to shortlist the candidates was declared on 10.01.2023. Learned counsel for the respondents further submits that keeping in view the result declared on 10.01.2023, candidates were called for written examination which was scheduled for 18.02.2024 but the petitioners never raised any grievance with regard to the non-shortlisting the

name of the petitioners to appear in the written examination qua the post up to the date of the said written examination and the present petitions have been filed after holding of the written examination hence, once the petitioners never raised any grievance qua not shortlisting their name for appearing in the written examination prior to the holding of the said written examination, present petitions which have been filed now are liable to be dismissed.

6. Learned counsel for the petitioners submits that the list of the shortlisted candidates was issued on 13.02.2024 and the said list was revised on 16.02.2024 hence, the petitioners did not had enough time to challenge the list of shortlisted candidates hence, they could approach this Court after holding of the written examination, which was conducted on 18.02.2024.

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

8. It may be noticed that the candidates who are competing for the post in question have to remain vigilant. In case in the list circulated qua the candidates who have been shortlisted for written examination, which was issued on 13.02.2024, the name of the petitioners was not there, the petitioners should have agitated the said claim immediately so that before holding of the written examination the said claim could be decided.

9. It may be further noticed that some of the candidates whose names were not shortlisted approached this Court by way of filing writ petition prior to the holding of written examination on 18.02.2024 and claim

of 171 such candidates was considered and appropriate order on their plea was passed by this Court but the petitioners never raised any grievance before holding of the said written examination, which was held on 18.02.2024. Rather these petitions have been filed a week after the written examination. If other similarly situated candidates can approach this Court for redressal of their grievance before the written examination was held, the petitioners cannot be permitted to argue that they did not had enough time to approach this Court before 18.02.2024.

10. In the present petitions, once the petitioners never agitated their grievance before any authority before the conduct of the written examination, the same cannot be raised now after holding of the written examination.

11. Keeping in view the above, once written examination has already been held and upto the date of examination, no grievance has been raised by the petitioners, at this stage, said grievance cannot be entertained by this Court so as to stop the selection process hence, no ground for interference by this Court is made out at this stage and the present petitions are accordingly dismissed.

12. Photocopy of this order be placed on the file of connected cases.

March 14, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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