

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

111

CWP-9208-2024 (O&M)  
Decided on : 25.04.2024

AARZOO

. . .Petitioner

Versus

STATE OF HARYANA AND OTHERS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Sandeep Kumar Tada, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

Mr. Kanwal Goyal, Advocate,  
Ms. Sheena Dahiya, Advocate and  
Ms. Simranjot Singh, Advocate for respondent No. 2-HPSC.

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HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge is to the order rejecting the claim of the petitioner for the post of Medical Officer, Group-A (HCMS-1) in ESI Health Care, Labour Department, Haryana as advertised by the respondents vide advertisement No. 1/2023 dated 06.01.2023 (Annexure P-3).
2. Learned counsel for the petitioner submits that by the impugned order, the petitioner has been declared ineligible to compete for the post in question on the ground that the degree which the petitioner got, was after the last date of submission of the application form for the post in question

and even the registration with the Haryana Medical Council was done on 06.05.2023 (Annexure P-2) whereas the last date of submission of the application form for the post in question as mentioned in the advertisement NO. 1/2023 (Annexure P-3) was 06.02.2023

3. Learned counsel for the petitioner submits that once, the petitioner had already completed academic qualification and was only undergoing the internship which internship though was completed after the last date of submission of the application form, the petitioner should have been treated eligible for the said post as the petitioner was also having the provisional registration with the Haryana Medical Council.

4. Notice of motion.

5. Mr. Kanwal Goyal, Advocate accepts notice on behalf of respondent-HPSC and submits that large number of candidates who had not completed their degree had applied for the post in question and their claim had been rejected and similar to the petitioner, the claim of one Monika had also been rejected on the same ground which action has been challenged by Monika in **CWP-8659-2024 titled as Monika v. State of Haryana and others**, which writ petition has been dismissed by this Court on 19.04.2024 hence, the claim of the petitioner be also rejected.

6. Learned counsel for the petitioner after going through the order passed in **Monika's case (supra)**, has not been able to rebut that the ground raised by the petitioner in the present petition to claim the relief are identical with that of **Monika's case (supra)**.

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

8. Once, the question of law raised in the present petition has already been decided by this Court while passing order in **Monika's case**

(supra) and the applicability of the said judgment passed in **Monika’s case (supra)** has not been rebutted and all the grounds raised in the petition have already been decided, the present petition is also **dismissed in terms of the decision given in Monika’s case (supra).**

9. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)  
JUDGE

25.04.2024

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Whether speaking/reasoned: Yes/~~No~~  
Whether Reportable: ~~Yes~~/No