

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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LPA-529-2022 (O&M)
Decided on 23.01.2024

Neeraj Sharma

... Appellant

Versus

Haryana Vidyut Prasaran
Nigam (HVPN) Ltd and others

... Respondents

CORAM: HON’BLE MS.JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON’BLE MR.JUSTICE AMAN CHAUDHARY

Present: Mr.Nischal Chetanya Manchanda Advocate, and
Ms. Hema Kakkar, Legal Aid Counsel for the appellant.

AMAN CHAUDHARY, J.

1. The present intra-Court appeal, under Clause X of the Letters Patent has been filed challenging the judgment dated 01.06.2022, vide which the civil writ petition preferred by the appellant was dismissed.

2. Learned counsel would submit that though the appellant had filed two applications for the post of Assistant Engineer (Electrical) under EWS Category, however, as per his score in GATE-2019, he had secured 66 marks which were more than the candidate, who was granted appointment, but the score of GATE-2020 was wrongly taken into consideration. This was not properly appreciated by the learned Single Judge and consequently, his writ petition was dismissed.

3. Having heard learned counsel for the appellant, we find there to be no merit in the appeal.

4. Learned Single Judge has taken into account clause 24 of the advertisement, which contained the stipulation that more than one application can be submitted by a candidate and in such an eventuality, the latest would be

considered to be the final, while rejecting the previous one, without any prior notice. The appellant having participated in the process of selection, cannot be heard to question the criteria upon being unsuccessful, inasmuch as that the score appended alongwith the initial application ought to have been, on the basis of which his candidacy bore more merit. It had thus been rightly held that the absence of the said clause 24 would have created practical difficulties as, if both applications were to be considered of other candidates as well, who had also applied on basis of the scores of both, GATE 2019 and 2020, the result would have had to undergo a revision, disturbing the appointments already made. The appellant being well aware of the criteria, can as a result not even complain of consideration of his second application in terms thereof.

- 5. In wake of the above, the present appeal is hereby dismissed.
- 6. Pending applications, if any, shall be rendered as disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE

23.01.2024
ashok/gsv

Whether speaking / reasoned: YES / NO
Whether Reportable: YES / NO