



CWP-13619-2024 -1-
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-13619-2024
Date of Decision :30.05.2024

Ankit Kohli

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Mr. Harish Nain, AAG, Haryana.
(keeping in view advance copy served).

Mr. Kanwal Goyal, Advocate with
Ms. Sheena Dahiya, Advocate for respondent No.2-HPSC.
(keeping in view advance copy served).

* * *

Harsimran Singh Sethi, J. (Oral)

In the present petition, the grievance being raised by the petitioner is that vide impugned order dated 24.05.2024 (Annexure P/18) the claim of the petitioner to compete for the post of Veterinary Surgeon has been declined by the respondents on the ground that upto the last date of submission of application form i.e. 05.01.2023, the petitioner did not had the requisite registration with the Haryana Veterinary Council and the said registration which was done on 19.05.2023 which registration certificate cannot be taken into account whereas, a corrigendum dated 22.02.2024 (Annexure P/9) had been issued by the respondents, according to which, the candidates could apply for the post in question up to 07.03.2024 hence, the registration

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certificate which has already been submitted, which was issued on 19.05.2023 is still being discarded despite the fact that last date of submission of application form was extended by the respondents upto 07.03.2024.

Notice of motion.

Mr. Harish Nain, AAG, Hayana accepts notice on behalf of respondent No.1-State.

Mr. Kanwal Goyal, Advocate accepts notice on behalf of respondent No.2-HPSC.

Learned counsel for the respondent-Commission submits that as per the objection that has been raised in impugned order dated 24.05.2024 (Annexure P/18), last date of submission of application form as initially mentioned in the advertisement is to be seen and not the date mentioned in the corrigendum dated 22.02.2024 (Annexure P/9) and as the petitioner failed to apply afresh in pursuance to the corrigendum dated 22.02.2024 (Annexure P/9) hence, the petitioner has rightly been treated ineligible by the respondents to compete for the post in question.

Learned counsel for the respondent-Commission further submits that the said objection be taken into consideration while deciding the present petition.

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

Once, initially the last date of submission of application form as prescribed in the advertisement was 05.01.2023, the same was to be made applicable to all the candidates, who are competing for the post in question and hence, eligibility of a candidate is to be seen keeping in view the said last

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date of application form whereas, it has already come on record that vide notice dated 22.02.2024 (Annexure P/9), a corrigendum has been issued by the respondents and last date for submission of application form has already been extended up to 07.03.2024 and by the said date, the petitioner already had registration of Haryana Veterinary Council, which has been issued on 19.05.2023 and the same has already been submitted by the petitioner, which is clear from impugned order 24.05.2024 (Annexure P/18). Once, before 07.03.2024, the petitioner had already obtained the registration certificate and as per the corrigendum dated 22.02.2024 (Annexure P/9), the candidates who had already applied need not to apply again, the eligibility is to be seen as on 07.03.2024 and not on 05.01.2023, it cannot be said that petitioner did not fulfill the requisites upto the last date of submission of application form i.e. 07.03.2024.

Keeping in view the above, impugned order dated 24.05.2024 (Annexure P/18) treating the petitioner ineligible to compete for the post of Veterinary Surgeon is totally arbitrary and illegal and is accordingly set aside.

Let the petitioner be treated eligible for the post in question for all intents and purposes subject to any other irregularities found during the process of scrutiny of documents.

Petitioner will be allowed to appear in the interview, which is scheduled to be held on 01.06.2024.

It may be noticed that all the efforts will be made to release the present order today but learned counsel for the respondent-Commission is also directed to inform the authorities concerned about the direction given by this Court in the present order independently.



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Present petition stands allowed in above terms.

May 30, 2024

(HARSIMRAN SINGH SETHI)

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JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No