

CWP-15381-2020

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. 2024:PHHC:005213

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-15381-2020

Date of Decision :15.01.2024

Manjeet Singh Dhanda

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naresh Kumar Chhokar, Advocate for the petitioner.

Mr. Pankaj Middha, Addl.A.G. Haryana.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, grievance of the petitioner is that the petitioner has not been interviewed by the respondents despite the fact that he had cleared the written examination for the post of Junior Engineer (Civil) as advertised vide advertisement dated 27.06.2015 (Annexure P-1) by the respondents and claim of the petitioner so as to call him for interview has been rejected by the respondents vide order dated 18.09.2020 (Annexure P/9).

2. Learned counsel for the petitioner submits that the petitioner had competed for the post of Junior Engineer (Civil) in the general category but while declaring the result of the petitioner, his name was not mentioned in the list of candidates, who had cleared the written examination so as to

call him for interview.

3. Learned counsel for the petitioner submits that on 20.05.2020 (Annexure P/5) in continuation of the earlier notice dated 07.05.2016, the shortlisted candidates were called for interview, which interview was conducted from 01.06.2020 to 03.06.2020 but as no information was given to the petitioner to appear in the interview process, the petitioner could not participate in the said interview due to which fact his candidature has not been considered. Learned counsel for the petitioner further submits that it was incumbent upon the respondents to send an interview letter to the petitioner so that the petitioner could have attended the interview, which was conducted from 01.06.2020 to 03.06.2020 hence, the respondents be directed to interview the petitioner afresh to consider his claim for one of the post of Junior Engineer (Civil) as advertised by respondents.

4. Learned counsel for the respondents submits that in the present petition, the grievance which is being raised by the petitioner that he could not appear in the interview as he was not issued an interview letter by the respondents is incorrect for the reason that as per the terms and conditions of the advertisement itself, the candidates were required to remain vigilant and visit the website of the respondent-Commission regularly so as to know whether they are called for interview or not. Learned counsel for the respondents further submits that no separate interview letter was sent to any candidate including the petitioner, who were requested to appear in the interview and the selection was made after conducting the interview of the candidates who appeared hence, the petitioner cannot raise any grievance qua the non-attending of the interview by him, which was conducted from

01.06.2020 to 03.06.2020.

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

6. Learned counsel for the petitioner has not been able to show to this Court that respondents were under an obligation to sent him an interview letter for the interview which was scheduled to be held from 01.06.2020 to 03.06.2020. Further, learned counsel for the petitioner has not been able to rebut that as per the terms and conditions of the advertisement, the result as well as information qua calling the candidates for interview was only to be posted on the website of the respondent-Commission and the candidates were required to visit the website of the respondent-commission regularly so as to remain updated. It is a conceded position that the name of the petitioner appeared on the website for interview, which was scheduled to be held from 01.06.2020 to 03.06.2020, which fact the petitioner missed.

7. Keeping in view the factual position narrated hereinbefore, it cannot be said that petitioner has been discriminated in any manner qua the other candidates, who appeared for the interview, which were scheduled to be held from 01.06.2020 to 03.06.2020.

8. Learned counsel for the petitioner has not been able to show that the other candidates, who appeared for the interview, which was held from 01.06.2020 to 03.06.2020 have been sent a separate letter calling them for interview at their address rather the said candidates were appeared on the basis of the information available on the website of the respondent-commission. Hence, the claim of the petitioner that he should have been

sent an interview letter is not made out keeping in view the terms and conditions of the advertisement hence, the order passed by the respondents dated 18.09.2020 (Annexure P/9) cannot be faulted with.

9. At this stage, learned counsel for the petitioner submits that nothing has come on record as to whether all the posts in question under the general category have been filled up or not.

10. In case the petitioner needs any information qua said fact, he can avail the benefit of Right to Information Act, 2005 before the appropriate authority for the said purpose.

11. Keeping in view the facts and circumstances narrated hereinbefore, no ground for interference by this Court is made out and the writ petition is accordingly dismissed.

January 15, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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