



CWP-14784-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-14784-2024

Date of Decision: 03.07.2024

URMILA DEVI

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Jasbir Mor, Advocate
for the petitioner.

Mr. R. S. Budhwar, Additional A. G., Haryana.

Mr. Shreenath A. Khemka, Advocate
for respondent No.3.

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *mandamus* directing respondent No.2/Director of Secondary Education, Haryana to issue No Objection Certificate (NOC) to the petitioner to enable her to appear in interview for the post of Assistant Professor in Extension Education and Communication Management (Home Science), advertised by the respondent No.3-University vide advertisement No.2 of 2023.

2. Learned counsel for the petitioner contends that the petitioner applied for NOC to the Department on 14.06.2024, and her application was forwarded to respondent No.2. Since the interview had been fixed on 26.06.2024 at 08:00 AM, the NOC was urgently required as she could not have been interviewed without it. The requests made to the Department for



issuing the NOC within time remained unanswered. Resultantly, the petitioner could not be interviewed. It is only on account of the Department's fault that her right to be considered for the post has been frustrated.

3. Learned counsel for the respondent No.3-University, on instructions, contends that interviews for the post in question were held on 26.06.2024, merit list was finalised that day itself and the University is in the process of announcing the result. The interview panel consisting of subject experts from outside the University, already stands disbanded.

4. It is apparent on record that advertisement for the post in question was published on 18.10.2023, and closing date for submission of the applications was 17.11.2023. The petitioner applied for it well within time, and was required to have NOC from the Department, where she is already working as Post Graduate Teacher (PGT) Home Science for last many years. She is fifty-one years of age and has applied for this post earlier also, but could not be selected. Undisputedly, she was well aware of the need to have NOC as an essential condition for being interviewed. Still, despite submitting application for the post well before the closing date, she did not make any effort to get the NOC for about seven months thereafter. It was just before the date of interview that she applied for it on 14.06.2024 which could not be issued before the interview that was slated for 26.06.2024. Without going into the reasons for not issuing the NOC within this short span, it cannot be lost sight of that the petitioner herself remained dormant for over seven months and wasted valuable time by failing to even apply for the same. There is no explanation coming forth as to why did she not take any step in the direction for that long despite being aware of the mandatory requirement. In case the

petitioner woke up from slumber only twelve days before the date of interview to apply for the NOC, which could not be issued within time, she is partly responsible for it herself. Besides, the interviews are already over and the result stands prepared.

5. In view thereof, this Court finds no justification to entertain the petition and it stands dismissed in *limine*.

03.07.2024

Ad

Whether speaking/reasoned

Whether reportable

(TRIBHUVAN DAHIYA)

JUDGE

Yes/No

Yes/No