

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

236A

CWP No.17056 of 2022 (O & M)

Date of Decision : 8.4.2024

Shankar

..... *Petitioner*

versus

State of Haryana and others

..... *Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Ashutosh Bhardwaj, Advocate, for
Mr. Parvesh K. Saini, Advocate, for the petitioner
Mr. Ravi Pratap Singh, DAG, Haryana
Mr. Sanjiv Kumar Aggarwal, Advocate and
Mr. Tejas Bansal, Advocate, for respondent no.2
Mr. R.K. Malik, Senior Advocate with
Mr. Anshul Lubana, Advocate, for respondents no.4 to 7

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed seeking a writ of *mandamus* directing the official respondents to count reserved category candidates, who have scored more marks than the candidates selected in general category, as general category candidates for the post of Clerk and, consequently, consider the petitioner's claim against the post reserved for his respective category, i.e., Backward Class (BC)-A.

2. The University invited inviting applications for various posts, including one hundred sixteen posts of Clerks, vide advertisement no. UHSR/Rectt.7/2018, Annexure P-1. The petitioner applied for the same under BC-A category. Final result of selection was declared on 3.2.2019, wherein he remained unsuccessful. The instant petition seeking consideration against BC-A category posts by revising the select lists of

general and BC-A categories was filed in July 2022, i.e., after about three years and five months of declaration of final result. There is no explanation for delay, except that another petition, CWP No.18666 of 2019, seeking the similar relief as sought by the petitioner herein, was pending adjudication before this Court at that time.

3. Mere pendency of another petition, which was filed soon after declaration of final result, is no ground to entertain the instant petition seeking equitable relief in exercise of extra ordinary jurisdiction after such a long delay, that too when the selected candidates stood appointed and had rendered more than three years' service. Even a civil suit would not be maintainable after such a long delay. Besides, the aforementioned connected petition has been dismissed by this Court. In view thereof, there is no ground to entertain the petition.

4. Dismissed.

5. Pending miscellaneous application(s), if any, stands disposed of accordingly.

(TRIBHUVAN DAHIYA)
JUDGE

8.4.2024

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No