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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-440-2015

Date of decision: 13.05.2024

SANDEEP KUMAR

...Petitioner

VERSUS

STATE OF HARYANA & OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

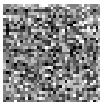
Present:- Mr. Hitesh Verma, Advocate
for the petitioner.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the selection list dated 04.10.2012 (Annexure P-4) and further to issue a writ in the nature of *mandamus* directing the respondents to select and appoint the petitioner to the post of Assistant Lineman under BCB category as per advertisement (Annexure P-1).

2. Learned counsel for the petitioner submitted that the controversy pertains to the selection process which started in the year 2011 and large number of candidates were appointed and the petitioner also participated in the selection process but after the interview was conducted, he was not selected on merits. He further submitted that the only ground taken in the present writ



petition is that in the selection process, written test was not conducted and that was not in accordance with law because no proper selection can be made without conducting a written examination.

3. On the other hand, Mr. Gaurav Jindal, Addl. A.G., Haryana submitted that the present selection pertains to the year 2011 and it will not be in the interest of justice to now upset any of the candidates who have been selected. He further submitted that even otherwise also, the petitioner after having participated in the selection process and after not being selected in the interview has now challenged the selection process, which is not permissible. He referred to a judgment of Hon’ble Supreme Court in **Tajvir Singh Sodhi and others versus The State of Jammu and Kashmir and others, 2023 AIR (Supreme Court) 2014** in this regard.

4. After hearing learned counsel for the parties, this Court is of a considered view that the present writ petition is liable to be dismissed on two grounds. Firstly, the selection process is of the year 2011, which is almost 13 years ago and secondly, the petitioner challenged the said selection process after he himself had participated in it and once he was not selected, he challenged the same, which is not permissible in view of the aforesaid judgment of Hon’ble Supreme Court in **Tajvir Singh Sodhi’s case (supra)**.

5. Consequently, the present writ petition is dismissed.

13.05.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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