



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

129

CWP-27747-2024
Date of Decision:16.10.2024

RITU AND OTHERS

...Petitioner(s)

Versus

HARYANA PUBLIC SERVICE COMMISSION AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Lajpat Rai Sharma, Advocate
for the petitioners.

Mr. Kanwal Goyal, Advocate with
Ms. Sheena Dahiya, Advocate
for the respondents.

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to conduct screening test of the petitioners again for the post of Post Graduate Teachers (PGTs) in Commerce, Rest of Haryana cadre, pursuant to advertisement 20/2024 dated 23.07.2024, as they could not appear in the screening test held on 13.10.2024, between 02:00 to 04:00 pm, due to *chakka jaam* (complete halt on vehicular movement) on account of the farmers' protest.

2. Learned counsel for the petitioners contends that the petitioners had applied for the aforementioned posts and were issued admit cards as well. However, on account of the farmers protest at Haryana/Punjab border they could not reach the examination centre at the stipulated time on 13.10.2024, and were prevented from taking the test. Although they did manage to reach



the centre by 02:00 pm, but were not allowed to enter. The petitioners are meritorious students and have been unduly deprived of an opportunity to seek appointment against the advertised posts. The Commission has already re-scheduled screening test of other subjects for 03.11.2024, and another test for the petitioners can also be held on that date. He also contends that their representation dated 13.10.2024, Annexure P-4, to the Commission seeking another opportunity for taking the screening test has not been decided so far.

3. Learned counsel for the Commission, on the contrary, contends that once a test has been held another opportunity cannot be granted to the petitioners or to any other candidate for that matter. The re-scheduling mentioned by the petitioners had been done only for the tests which were not held. He has referred to an announcement issued by the Commission on 08.10.2024 (copy whereof has been shown to the Court), informing the candidates about the screening test to be held on 13.10.2024, advising them to download their admit cards from the link provided on the official website with effect from 10.10.2024 onwards. Besides, admit cards issued to the candidates contained the instructions advising them to reach the examination centre at least one day in advance and familiarise themselves with the itinerary to avoid last minute hassle in their own interest. He has also referred to the news item appended to the petition, dated 11.10.2024, Annexure P-3, stating that an important meeting was held between the farmers, commission agents and rice millers, etc., and it was decided there would be *chakka jaam* in the entire State of Punjab on 13.10.2024 from 12:00 noon to 03:00 pm. Therefore, despite the said *jaam* organised by the farmers' Unions, the petitioners could have reached the examination centre well within time.



5. As per facts apparent on record, the petitioners were duly issued the admit cards from 10.10.2024 onwards for appearing in the screening test held on 13.10.2024, as also the advisories to reach the examination centre within time clearly indicating that entry for the candidates would start at 12:30 pm and no one would be admitted after 01:50 pm. Therefore, they had ample opportunity as well as notice to reach the centre within time, still they did not. The petitioners' representation, dated 13.10.2024, itself records that '*they reached at their respective centres only 10 or 20 minutes late...*'. Examination centre is not a casual place where one can be allowed to walk-in anytime. There is a purpose in prescribing timings to enter the examination centre, for instance, the need to establish identity of the candidates and to frisk them as well to maintain sanctity and credibility of the exam/test. Accordingly, the timeline for appearing in the test was to be strictly adhered to, and the Commission's decision not to allow entry to the petitioners/latecomers cannot be faulted with.

6. Further, the reason that only on account of the farmers' protest in the State of Punjab the petitioners could not reach the examination centre on time, is too far-fetched to be accepted. They have themselves shown that the protest was planned in the State only between 12:00 noon to 03:00 pm on 13.10.2024, but have failed to give any plausible reason why must they cross the Punjab State to reach the exam centre at Panchkula in Haryana State, and that too at the eleventh hour. It remains indisputable that the petitioners, like other citizens, have access to roads and public conveyance to reach Panchkula without entering the territory of Punjab. Being examinees, it was expected of them to be cautious and take the required steps to reach examination centres



it is not the petitioners’ case that a re-test has been prescribed in the given or related circumstances. Therefore, no case is made out to issue direction to the Commission to hold the screening test again for the petitioners.

7. In view thereof, there is no merit in the petition and it stands dismissed in *limine*.

(TRIBHUVAN DAHIYA)
JUDGE

16.10.2024
Ad

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>