



CWP-29141-2024

-1-

119

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-29141-2024

Date of Decision: 25.10.2024

SANJAY KUMAR

..... PETITIONER

VERSUS

HARYANA PUBLIC SERVICE COMMISSION AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr.Raj Kumar Chandana, Advocate
for the petitioner.

Mr. Kanwar Goyal, Advocate
for the respondents.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the ongoing selection for Post Graduate Teachers/ PGTs in Sanskrit against advertisement 34/2024, dated 23.07.2024, for Rest of Haryana and Mewat cadres because ineligible candidates, who neither possessed requisite qualifications nor documents on the last date of submission of application forms, have been permitted to apply for the post in violation of law; further, a writ of *mandamus* has been sought directing the respondents to issue a fresh advertisement for the aforesaid posts.

**CWP-29141-2024****-2-**

2. Learned counsel for the petitioner has contended that total sixty-nine posts of PGT Sanskrit (Mewat Cadre) were advertised, and closing date for submission of application forms was 14.08.2024. The petitioner being eligible and having teaching experience of eleven years, submitted his online application for the said post in Mewat cadre. He was issued admit card, and appeared for Subject Knowledge Test scheduled on 24.09.2024. As per result of the test declared on 14.10.2024, only forty-six candidates were called for interviews to be held on 04 and 05.11.2024. Learned counsel further contended that the petitioner did very well in the test, but could not qualify the same. It was because ineligible candidates, who were not possessing the requisite qualification and documents, were permitted to apply for the post on the premise that their eligibility would be assessed later, after they qualified for interview. It shows ineligible candidates have been considered and shortlisted also for the interview; whereas, candidates like the petitioner, who are fully eligible, could not be amongst the shortlisted. It is also contended that no criteria have been uploaded on the Commission's website as to how the result of Subject Knowledge Test has been prepared. So, entire selection process has been carried out in violation of law.

3. Heard.

4. Learned counsel for the petitioner has failed to substantiate the assertion that ineligible candidates have been permitted to apply for the post and/or called for interview. No particular of any such candidate has been mentioned in the petition, nor has it been pointed out as to what was the specific ineligibility which was ignored by the Commission. In case the



CWP-29141-2024

-3-

candidates have been permitted to appear in the selection process with the stipulation that their eligibility will be ascertained at the time of selection, it does not mean the ineligible have been allowed to appear. The advertisement lays down eligibility conditions which are required to be fulfilled by each of the candidates, who have to give an undertaking regarding fulfilling the same as well. It is also stipulated that application of candidates who do not fulfill the qualifications/eligibility conditions on the closing date shall not be accepted. Therefore, the assertion on behalf of the petitioner is without any basis. Further, it is mentioned in the advertisement itself that Subject Knowledge Test will be of one hundred fifty marks, and three hours' duration. The subject-wise syllabus has also been enclosed in the annexures appended to the advertisement. It also provides that candidates two times the number of advertised posts will be called for interview provided they secure minimum cut-off marks of thirty-five per cent, and that weightage of the test will be eighty-seven point five per cent. Accordingly, it cannot be said no criteria have been prescribed by the Commission regarding preparing the result of test.

5. In view thereof, there is no ground to entertain the petition and it stands dismissed *in limine*.

25.10.2024
Seema

(TRIBHUVAN DAHIYA)
JUDGE

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