

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

215

CWP-6271-2018 (O&M)

Decided on :12.02.2024

Pardeep

. .Petitioner

Versus

State of Haryana and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. R. K. Malik, Senior Advocate with
Mr. Kartikey Chaudhary, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Kanwal Goyal ,Advocate
for respondent-HPSC.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance of the petitioner is that the process undertaken by the respondent- Commission for evaluating the competency of the candidates for the post of Assistant Town Planner to be filled in the department of Town and Country planning as advertised vide Advertisement No. 7 dated 19.12.2015, copy of which has been appended as Annexure P-1, was not in accordance with law.

2. Learned Senior counsel for the petitioner submits that vide advertisement No. 7 dated 19.12.2015 (Annexure P-1), 22 posts of the Assistant Town Planner were advertised and out of which, 12 posts were in the General Category, 05 posts were reserved for the scheduled castes and one each for the BC-A, BC-B, ESM, PH (Ortho), EBP category were reserved. The petitioner competed in the general category against the 12 posts. The selection for the post in question was on the basis of the written examination followed by interview and after the conduct of written examination, 36 candidates were called for the interview qua 12 posts to be filled up in the general category but the petitioner keeping in view the merit

obtained in the written examination , was not called for the interview. A copy of result has been appended as Annexure P-5.

3. Learned Senior counsel for the petitioner further submits that out of the 36 candidates, 7 candidates who were interviewed were later on declared ineligible in scrutiny, hence, the next 7 candidates should have been called for the interview so as to adjudge their capability qua 12 posts which were to be filled up in the general category for the post of Assistant Town Planner and the petitioner could have been called for the interview.

4. Learned counsel for the respondents submits that after the written examination for the post in question, first 12 candidates, who obtained merit in the general category were called for the interview and the petitioner was not found eligible to be called for the interview keeping in view the marks secured by him in the written examination for the post in question, hence, no grievance can be raised by the petitioner on the ground that out of 36 candidates called for the interview/*viva-voce* 07 candidates were declare ineligible in the scrutiny which was done at the time of interview.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. It may be noticed that the candidates are to be called for the interview three times number of the vacancies to be filled up. As, there were 12 vacancies in the general category in the cadre of Assistant Town Planner, 36 candidates were called for the interview, merely that some of the candidates did not fulfill the eligibility criteria as found in scrutiny of the document which was done at the time of interview, the same will not give any right to the petitioner to say that the interview should be taken again so as to call the next 7 candidates for the interview.

7. Further nothing has come on record that any candidate who was less meritorious than the petitioner in the written examination has been selected for the post in question.

8. The candidates on the basis of merit obtained by them in the selection process for the post in question have already been selected and are working for the last more than five years.

9. Keeping in view the facts and circumstances of the present case recorded herein above, no ground is made out for the grant of any relief to the petitioner as being claimed by him through present petition, hence, the present petition **stands dismissed**.

10. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

12.02.2024

Riya

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*