



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-36122-2019 (O&M)
Decided on :08.05.2024

YOGENDER SINGH . .petitioner
Versus
STATE OF HARYANA AND ANR. . . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Japsehaj Singh, Advocate and
Mr. Aman Pal, Advocate for the petitioner.
Mr. Harish Rathee, Sr. DAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the challenge is to the non-selection of the petitioner on the post of Heavy Vehicle Driver, as advertised by the respondents vide advertisement No. 4/2017 dated 18.05.2017 (Annexure P-1).
2. Learned counsel for the petitioner submits that the petitioner has wrongly been declared failed in the 'Dug test' by raising certain objections, hence, the respondents are under obligation to allow the petitioner another opportunity to appear again in the said dug test.
3. Learned counsel for the respondents submits that for testing the proficiency of a driver, various driving tests were to be cleared by a candidate so as to become eligible for the post in question, the details of said tests has already been given in paragraph No. 5 of the written statement and in the present case, the petitioner has failed to clear the dug test while reversing the vehicle.
4. Learned counsel for the respondents further submits that all these tests were video-graphed and even as per the video recording of the



Dug test of the petitioner, the petitioner failed while reversing the vehicle, hence, the petitioner has rightly been declared failed in the Dug test.

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

6. Once the dug test of the petitioner was video-graphed and even in the video recording it is proved that the petitioner failed to clear the dug test, this Court will not interfere in the decision of the respondent-Commission declaring the petitioner as ineligible for selection to the post in question. As the petitioner is to drive a heavy vehicle, the life of the passengers will be at hands of the petitioner and once as per the opinion of the selection committee, the petitioner has failed to clear the dug test, this Court will not sit in appeal so as to opine, as to whether the petitioner has rightly been declared failed in the dug test or not especially when as per the reply filed by the respondent-Commission, even in video recording of the dug test, it is proved that the petitioner has failed to clear the dug test.

7. Keeping in view the facts and circumstances recorded herein above, no ground is made out for any interference by this Court, hence, the present petition stands dismissed.

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

(HARSIMRAN SINGH SETHI)
JUDGE

08.05.2024

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No