

CM-6369-CWP-2024 in/& -1- 2024:PHHC:051808
CWP-23620-2018 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

119+228 CM-6369-CWP-2024 in/&
CWP-23620-2018 (O&M)
Date of Decision :18.04.2024

Vishal and others ...Petitioners

Versus

State of Haryana and anotherRespondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Inder Pal Goyat, Advocate for the petitioners.

Ms. Vibha Tewari, AAG, Haryana.

Mr. Kanwal Goyal, Advocate for respondent-HPSC.

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Harsimran Singh Sethi, J. (Oral)

CM-6369-CWP-2024

As prayed for, application is allowed.

CWP-23620-2018

1. In the present petition, grievance of the petitioners is that the petitioners had competed for the post of Veterinary Surgeon as advertised by the respondents vide advertisement No.1 dated 02.05.2017 (Annexure P/4) but the petitioners were declared ineligible to compete for the said post, which action of the respondents is under challenge in the present petition.

2. Learned counsel appearing for the petitioners very fairly submits that to become eligible to compete for the post in question as per the

condition mentioned in the advertisement (Annexure P/4), a candidate was required to have a degree of Bachelors in Veterinary Sciences from a recognized University or Institute and the petitioners only got the said degree after the last date of submission of application form.

3. Learned counsel for the respondents submits that once, it is a conceded position that petitioners were not eligible to compete for the post in question upto the last date of submission of application form, the petitioners cannot claim eligibility under any circumstances and the said question of law has already been decided by this Court while passing order in **CWP-29247-2022 titled as Anil Kumar and others vs. State of Haryana and others decided on 19.10.2023.**

4. Learned counsel for the petitioners has not been able to rebut the said settled principle of law as settled by this Court in **Anil Kumar (supra)** that any candidate, who is not eligible as per the qualification prescribed in the advertisement upto the last date of submission of application form, he/she cannot claim eligibility.

5. Keeping in view the fact that upto the last date of submission of application form, the petitioners did not possess essential qualification as required to compete for the post in question, no interference is called for by this Court and the present petition is accordingly dismissed.

April 18, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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