



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

114

CWP-1422-2025

Date of Decision: 03.03.2025

SURENDER KUMAR

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Vijay Pal, Advocate and
Mr. Ishaan Bhardwaj, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the final result for the post of TGT English, Rest of Haryana cadre, dated 04.10.2022, Annexure P-23, in response to advertisement 09/2015, dated 23.07.2015, Annexure P-1.

2. Learned counsel for the petitioner contends that the petitioner cleared the written test for the post in question and was called for interview-cum-document verification, vide notice dated 06.09.2016, Annexure P-4; he was interviewed on 16.09.2016. Later, the Department issued another notice dated 04.06.2022, Annexure P-20, requiring shortlisted candidates to appear for scrutiny of documents. The petitioner's roll number figured therein but he could not appear. In fact, he was not required to be called as he had already been interviewed. The requirement to call such candidates for scrutiny of documents was wrongly incorporated in the notice in violation of directions issued by this Court in CWP-22746-2016 titled *Satish Kumar Malik and others v. State of Haryana and others*, vide judgment dated 15.11.2016. In terms therewith, the petitioner is entitled to be considered for selection on the



basis of his marks in written examination as well as interview conducted on 16.09.2016.

3. Learned State counsel, on the contrary, contended that Commission had withdrawn the advertisement, vide public notice dated 22.02.2021, which was challenged before this Court. The said notice was quashed in CWP-8483-2021 and directions were issued to complete the selection process to fill the vacancies that had been duly advertised. Pursuant thereto, notice dated 04.06.2022 was issued by the Commission, calling the shortlisted candidates for scrutiny of documents to ascertain their eligibility.

There were specific notes contained in the notice, which read as under:

2. It is important to note that after the scrutiny of documents if a candidate is found eligible it will not confer any right of interview and candidates only falling within twice the number of vacancies above shall be called for interview. Candidates who have been already interviewed will not be interviewed again.

3 and 4 XXX XXX XXX

5. All above shortlisted candidates shall appear for scrutiny of documents. Candidates who have already appeared for scrutiny or interview earlier shall also appear for scrutiny and submit their documents.

The shortlisted candidates who appeared for the scrutiny of documents were called for an interview/viva-voce vide subsequent notice dated 17.08.2022, Annexure P-21. Thereupon, the final result of selection of all the candidates was announced on 04.10.2022, and the selected candidates were given the appointments as well. Thereafter, the Commission has carried out further process of selection, and the posts of TGTs in the Department were again advertised, vide advertisement 02/2023. Its final result was announced on 27.07.2024, and appointments in response thereto were also made. Therefore,

at this stage, the petitioner cannot be considered for appointment in response



to the earlier advertisement 09/2015, for which he did not even appear for scrutiny of documents in response to notice dated 04.06.2022.

4. Heard.

5. It is apparent on record that in response to the directions issued by this Court in CWP-8483-2021, the selection process was carried out, and the Commission issued public notice dated 04.06.2022, requiring the shortlisted candidates to appear for scrutiny of documents. The notice clearly stipulated that candidates who had already been interviewed would not be interviewed again. It, however, stipulated that candidates who had appeared for scrutiny of documents or interview earlier, would still have to appear for scrutiny and submit their documents in response to the same notice. The petitioner did not respond to the notice nor did he challenge the announcement dated 04.06.2022, or the conditions contained therein. The contention raised by learned counsel for the petitioner that the conditions violate the directions issued by this Court in CWP-22746-2016, is also without substance. Precisely, the direction was “*The eligible candidates who have already been interviewed will not be part of the further process of interviews. Their scores in the interview will stand for determination of final merit in the selection process.*” The notice dated 04.06.2022, issued by the Commission was in line therewith and not in contradiction to the same, as it clearly stipulated that the candidates who had earlier been interviewed would not be interviewed again and were only required to appear for scrutiny of documents. Further, the selection in question stands finalised with the announcement of result on 04.10.2022, and appointments have been given to the selected candidates. Still further, the respondents have again conducted selection for the posts of TGTs



in the Department, vide advertisement 02/2023, and pursuant thereto appointments have also been made.

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

(TRIBHUVAN DAHIYA)
JUDGE

03.03.2025
Ad

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