



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

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CWP-4648-2024

Decided On: 30.07.2025

ANJALI BANGA

....PETITIONER(s)

Versus

HARYANA PUBLIC SERVICE COMMISSION AND OTHERS

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Samrat Malik, Advocate
for the petitioner.

Mr. Kanwal Goyal, Advocate
for respondent no.1/HPSC.

Mr. Parveen Mehta, Additional Advocate General, Haryana.

TRIBHUVAN DAHIYA J.(Oral)

The petition has been filed, *inter alia*, seeking a direction to respondent no.1/Haryana Public Service Commission, to recommend the petitioner for appointment to the post of Lecturer in Computer Engineering under General category, since one of the selected candidates, Sunil Dalal, did not join service. As the post remained vacant, the petitioner being next in the list of selected candidates has a right to be considered for appointment. The reliance has been placed upon the judgment rendered by this Court in CWP-15962-2020 titled *Anshul v. State of Haryana and another*, which has been upheld by the Division Bench.

2. Learned counsel for the Commission contended that the issue raised herein has already been decided by this Court against the petitioner vide judgment dated 06.02.2025, rendered in CWP-2046-2020 titled *Balinder*

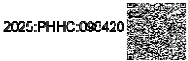


Singh v. State of Haryana and others, wherein *Anshul* case has also been considered. And the petitioner is identically placed as the petitioner in *Balinder Singh* case.

3. Learned counsel for the petitioner, however, submits that *Balinder Singh* case has been decided with reference to the provisions of the Haryana Civil Services (Executive Branch) and Allied Services and Other Services Common/Combined Examination Act, 2002 (for short, 'the 2002 Act'). The Act has no application to the petitioner's case as there is no stipulation in the advertisement in question that the recruitment will be as per its provisions.

4. Heard.

5. It is apparent on record that the petitioner is seeking appointment to Government service as Lecturer (Computer Engineering) in Technical Education Department, pursuant to advertisement 11/2021, whereby forty-four such posts have been advertised for the Department. The petitioner in *Balinder Singh* case was also seeking appointment as Assistant Professor in Computer Science in Government College under the Higher Education Department, and this Court held that provisions of the 2002 Act would be applicable in the case. It was also held that in the absence of waiting list, the petitioner could not seek appointment being next in merit against a post which fell vacant on non-joining of a candidate. Besides, it goes without saying that irrespective of any stipulation in the advertisement, provisions of a statute relevant to the recruitment process will be applicable for making appointment to any post in Government service.



6. Accordingly, in view of the law laid down in *Balinder Singh* case, there is no ground to entertain the present petition and it stands dismissed.

30.07.2025
Ad

(TRIBHUVAN DAHIYA)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No