



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

CWP-15149-2025

Date of Decision:-23.05.2025

Nikita

...Petitioner

Vs.

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Mazlish Khan, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

Mr. Prince Singh, Advocate for respondents No.3 and 4.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent No.2 to consider and recommend her name for the post of Upper Division Clerk (UDC).

2. The petitioner, pursuant to Advertisement No.03/2016, applied for the post of Upper Division Clerk under SC Category. A litigation ensued with respect to validity of 'O' Level Certificate. The matter came up before this Court by way of a bunch of petitions including **CWP-6454-2017**. This Court, vide judgment dated 21.11.2017, declared that Commission is acting beyond the requisition of Intending Department. Few candidates filed LPA which came up for consideration before a Division Bench of this Court. On the basis of statement of learned Advocate General of the State, the appeal was disposed of. The respondent conceded that appointments would be made in accordance

with Rules.

3. Mr. Mazlish Khan, Advocate submits that four posts are still lying vacant and petitioner being eligible should be considered for the post of Upper Division Clerk. She has filed representation but to no avail.

4. I have heard learned counsel for the parties and perused the record.

5. From the perusal of record, it is evident that learned Single Judge of this Court passed order on 21.11.2017 in favour of petitioners. The said order was virtually approved by Division Bench vide order dated 04.12.2016. The respondent completed selection process in 2019 and the petitioner approached respondent in 2025. The selection process completes as soon as final result is declared. The said process must come to an end. The petitioner is claiming post on the ground that four seats are still lying vacant and similarly situated candidates have been offered appointment letter. There may be many candidates who are higher in merit but have not been appointed because of closure of selection process or some other reasons. If at this belated stage, the respondents are directed to consider petitioner for the aforesaid post, it would reopen selection process which has already completed. It may also prejudice interest of candidates who may be higher in merit.

7. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

23.05.2025

Prince Chawla

Whether Speaking/reasoned: Yes/No
Whether Reportable: Yes/No