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

CWP-373-2025

Date of Decision: 10.01.2025

SUDHIR KUMAR

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Ravinder Malik (Ravi), Advocate
for the petitioner.

Mr. Praveen Chander Goyal, Addl. AG. Haryana
for respondent No.2.

Mr. Amandeep Joshi, DAG, Haryana
for respondents No.1, 3 and 4.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 13.12.2024 (Annexure P-10) whereby respondent has declined his application seeking permission to participate in Haryana State Account Service Examination (for short 'HSAS') Part-I.

2. As per application rules read with advertisement, a candidate having three years regular service may participate in the exam of HSAS. The petitioner joined as Lower Division Clerk (for short 'LDC') in the Head office of respondent No.2-Haryana Vidyut Prasaran Nigam Limited on 10.05.2021. He completed three years service on 09.05.2024. The respondent vide advertisement dated 17.05.2023 (Annexure P-5) invited



applications from eligible candidates for the exam of HSAS. The cut off date for filing application was 12.06.2023. Concededly, the petitioner on the said date had not completed three years service.

3. Mr. Ravinder Malik (Ravi), counsel for the petitioner submits that HSAS exam is required to be conducted twice in a year. The respondent is not conducting said exam as per prescribed Rules and Regulations. The exam as per aforesaid advertisement is going to be conducted w.e.f. 11.01.2025 to 15.01.2025. The petitioner before the date of exam has completed three years service, thus, he should be permitted to participate in the exam. No prejudice is going to be caused to the respondent.

4. Notice of motion.

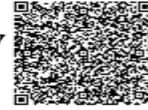
5. On the asking of Court, Mr. Praveen Chander Goyal, Addl. A.G. Haryana accepts notice on behalf of respondent No.2 and waives service. Mr. Amandeep Joshi, DAG, Haryana who on advance notice is present in Court, accepts notice on behalf of respondents No.1, 3 and 4.

6. With consent of learned counsel for the parties, the case is taken up for final disposal.

7. Learned counsel for the respondents submit that there is no infirmity in the impugned order. The petitioner concededly had not completed three years service by the cut off date and if petitioner is permitted to participate in the exam, it would open pandora's box of litigation and the sanctity of cut off date would be lost.

8. I have heard the arguments of learned counsel for the parties and perused the record with their able assistance.

9. Concededly, the petitioner had not completed requisite



period of service by the cut off date. In the advertisement, 12.06.2023 was cut off date but exam is going to be conducted after 1 ½ year from the last date for filing application. Though act of respondents is not justified, yet this Court while exercising writ jurisdiction cannot extend cut off date and permit the petitioner to participate in the examination. If petitioner is permitted to participate in the examination, it would make cut off date insignificant. There may be so many other candidates who had not applied on account of non-completion of three years service and have not approached this Court. It would be discrimination against all those candidates if petitioner is permitted to participate.

10. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

10.01.2025

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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No