

(2020) 12 SHI CK 0061
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 5691 Of 2020

Amit Kumar

APPELLANT

Vs

Himachal Pradesh State Electricity Board Ltd. And Others

RESPONDENT

Date of Decision : 10-12-2020

Acts Referred:

Citation : (2020) 12 SHI CK 0061

Hon'ble Judges : Tarlok Singh Chauhan, J;Sandeep Sharma, J

Bench : Division Bench

Advocate : Dalip K. Sharma, Vikrant Thakur

Judgement

Tarlok Singh Chauhan, J

1. The limited prayer made in this petition is to permit the petitioner to participate in the documentation/interview to be held on 10th December, 2020

for the post of T-Mate in the respondent- department.

2. It is averred that respondent No.1 advertised the posts of T-Mate on 04.06.2020, which were to be filled-in offline mode with closing date of 20th

July, 2020. The petitioner being eligible applied for the same and got posted his form registered post on 20th June, 2020. The respondent-department

on 29.11.2020 displayed a list of eligible candidates, but the petitioner was shocked to know that his name was not there in the list.

3. On enquires being made from the postal department, it transpired that the form of the petitioner was received in the respondent department well

within the time.

4. Admittedly, the petitioner being fully eligible got dispatched his form on 20th June, 2020 registered speed post, whereas, last date for receipt thereof

was 20.07.2020.

Therefore, we see no reason as to why the name of the petitioner was not reflected in the list dated 29.11.2020 against eligible candidates and in such circumstances, the petitioner cannot be made to suffer for no fault of his.

5. Even otherwise, the Court cannot be oblivious to the legal maxim *Lex non intendit aliquid impossibilia* (Law intends not to anything impossible) and

Lex non cogit ad impossibilia (The law does not compel the impossible).

6. Accordingly, the present petition is allowed by directing the respondents to permit the petitioner to participate in the documentation/interview to be

held w.e.f. 10th December, 2020 for the post of T-Mate in the respondent No.2-department. Pending application(s), if any, also stands disposed of.

The parties are left to bear their own costs.

An authenticated copy of this order be supplied to the learned counsel for the parties by the Court Master.