

2026:PHHC:096298



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

218

CWP-7734-2021 (O&M)

Date of decision: 15.07.2026

ABHISHEK

... Petitioner

Versus

STATE OF HARYANA AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Dinesh Mahajan, Advocate, for the petitioner.

Mr. Udit Garg, Addl. AG, Haryana

Ms. Nikita Goel, Advocate for respondent No.3.

AMAN CHAUDHARY, J. (Oral)

1. Learned State counsel refers to Resolution dated 25.09.2015 and submits that in case, last two candidates having same marks, the one who is older in age would be appointed, which reads thus:-

“The orders of Hon’ble Supreme Court in case of Prem Singh vs. Haryana State Electricity Board reported as 1996(4) SLR 661, wherein the appointments have been restricted to the extent of the advertised vacancies, should be followed meticulously. Thus, the selection of the last candidate in each category as per inter-se-merit, it in case there are more than one candidate having equal marks in written examination and interview/vivo-voce combined, will be determined with reference to the date of birth i.e. the older in age will get precedence over the younger one.

In case two or more candidates have the same aggregate score and same date of birth, the inter-se-merit shall be decided by the higher achieved in the written examination.”

2. Evidently, the petitioner and the last selected candidate in General Category, both obtained 90 marks, while the latter being older in age, having date of birth 29.10.1990, was rightly selected over the former, born on 12.12.1997.

3. There being no rebuttal to the above, the present petition is hereby dismissed.

**(AMAN CHAUDHARY)
JUDGE**

15.07.2026

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No