

CWP-24984-2026

CNR No: PHHC011310932026

2026:PHHC:123988



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

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Date of Decision: **03.09.2026**

Anand Kumar

.....Petitioner

VERSUS

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Surender Pal, Advocate for the petitioner.

Mr. Rahul Dev Singh, Addl. AG Haryana.

Mr. Kanwal Goyal, Advocate for respondent-HPSC.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India seeking issuance of an appropriate writ, order or direction, particularly in the nature of *mandamus*, directing respondent No.2-Commission to forthwith recommend the name of petitioner under the category of ESM (General) to the respondent No.3 for appointment to the post of Assistant Professor (College Cadre) in the subject of Computer Science in Department of Higher Education, as the petitioner is meritorious eligible ESM candidate.

2. On the last date of hearing, the following order was passed by this Court:-



“Learned counsel for the petitioner inter alia contends that it is a trite law that the eligibility criteria notified in the advertisement cannot be re-interpreted to the prejudice of the candidates midway through the selection process. Further, the petitioner had not availed the benefit of the ESM category prior to participating in the selection process in terms of Advertisement No.45 of 2024. Moreover, the Office Memorandum dated 01.12.1994 issued by the Central Government is not applicable to the petitioner as at the time of joining the Air Force, the petitioner had joined as a General Category candidate and there is no provision for reservation on the basis of caste in the Air Force as discernible from Annexure P-12.

Learned counsel for the respondent-Commission submits that respondent No.3 has made a representation and lodged a complaint against the candidature of the petitioner. Respondent No.3 has also furnished the Office Memorandum dated 01.12.1994. It is further submitted that necessary clarification was sought from the Government of Haryana on 02.06.2026; however, no response has been received till date.

Learned counsel for the respondent-Commission seeks two week’s time to have complete instructions in this regard.

Adjourned to 03.09.2026.

3. Learned counsel for respondent-Commission submits that, after receiving the requisite clarification from the Government of Haryana, the candidature of the petitioner has been recommended for appointment by respondent-Commission on 02.09.2026.

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4. On the other hand, learned State Counsel submits that the recommendations made by respondent-Commission shall be considered and appropriate orders shall be passed within a period of four weeks.

5. In view of the above, the present petition is disposed of. However, it is directed that in case the petitioner is offered appointment, he shall be granted all notional benefits strictly in accordance with his merit. The petitioner shall, however, be entitled to actual pay only from the date of his joining.

6. Pending miscellaneous applications, if any, stand disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

03.09.2026
Puneet Chawla

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No