

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

**C.W.P No. 11687 of 2016
Date of decision : 02.06.2016**

Sunil Singh

....Petitioner

versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Inder Pal Goyat, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

The petitioner had participated in a selection process for H.C.S. (Executive Branch) in the year 2004. However, pursuant to the selection process, no appointment was made as the cadre strength had been reduced. Moreover, a Vigilance Enquiry was initiated. The said enquiry was finalized vide report dated 09.11.2011 (Annexure P-3). As per this enquiry report, there were 38 candidates, against whom, no discrepancy was found. As none of the aforesaid 38 candidates had been appointed, they approached this Court by filing CWP No.108 of 2012 along with other connected bunch of petitions, for issuance of direction to the respondents to give them appointment. But, those petitions were dismissed vide order dated 29.05.2015. The petitioners challenged the said order by filing LPA No.1168 of 2015. Thereafter, the State of Haryana, vide letter dated 26.02.2016, decided to appoint those candidates, against whom, there was no discrepancy.

The petitioner is not a candidate, against whom, any discrepancy could be found as per the remarks given in the Vigilance Enquiry. A similarly situated candidate namely Preetpal Singh Mothsara had approached this Court by filing LPA No.1292 of 2015 seeking direction to the respondent-State to reconsider his case. The said appeal was disposed of vide order dated 27.02.2016 (Annexure P-8) by giving direction to the State to look into his representation and decide the same in

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accordance with law, within three months.

In the present case, the petitioner has made a representation dated 27.05.2016 (Annexure P-9) to the Chief Secretary, Government of Haryana wherein it has been stated that in the case of the petitioner, it has been recorded as under:-

“In the answer sheet of Mathematics Page No. 8 and 9 left blank there after remaining questions have been attempted and marks given by the examiner which is against rules. Words PTO written again and again by repeating on most of the pages of answer sheet doubt of disclosing identity by the candidate. In the answer sheet doubt of disclosing identity by the candidate. In the answer sheet of Physics there is cutting on marks on page No. 6 by increasing marks from 4 to 6 and there is also cutting on page No. 3, on page No. 17 examiner has given 6 marks there after he added 2 more marks which bear no initial of examiner on the cutting. There is over writing in table of marks on front page.”

Without expressing any opinion on the merits of the case, this petition is disposed of by giving a direction to the respondents to look into the representation dated 27.05.2016 (Annexure P-9) and pass appropriate order in accordance with law, within a period of three months.

(RITU BAHRI)
JUDGE

02.06.2016

G Arora