

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

**C.M. No.9834 of 2016 in/and
CWP No.15625 of 2015(O&M)
Date of decision: 26.8.2016**

Sushil Kumar ... Petitioner

Versus

State of Haryana & ors. ... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Kiran Pal Singh, Advocate,
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

Mr. H.N. Mehtani, Advocate,
for respondents No.2 & 3.

RAJIV NARAIN RAINA, J.(Oral)

C.M. No.9834 of 2016

As directed, after the matter was passed over for post lunch sitting on request of Mr H. N. Mehtani appearing for the Haryana Public Service Commission, since the sealed envelope produced in the pre-lunch session did not mention the the cutoff marks in the written examination, a sealed envelope has been produced during the post-lunch session by Mr. Mehtani to see the result of the petitioner declared in the HCS (EB) & Allied Services Examination, 2014. It has been opened by the Court Secretary. The Court alone has perused the same to satisfy itself as to what the cutoff marks were in the general category and if the petitioner qualifies for the next leg of the selection process, i.e., interview. The same is ordered to be sealed again and taken on record to be opened only

by the Court by order so as not to disclose the contents to any party, till motion is moved for further orders. The result of the petitioner brought this morning in sealed cover is also ordered to be dealt with similarly. The same is also taken on record and sealed again. The instant application for early hearing of the case is dismissed since the matter is taken up for final disposal in view of the order proposed to be passed in the main case.

CWP No.15625 of 2015(O&M)

The petition has been rendered infructuous since the petitioner's result is below the cutoff marks in the general category. However, in case of selection is successfully challenged in some other or collateral proceedings in a Court of Law, the disposal of this case would not be to the prejudice of the petitioner and he is free to approach the Court again, if there is legal or factual justification to reopen the case for general and universal reasons or to re-examine the case of the petitioner if it deserves a re-visit.

Accordingly, the petition stands disposed of.

**(RAJIV NARAIN RAINA)
JUDGE**

26.8.2016
monika

Whether speaking/reasoned

Yes

Whether Reportable:

No