

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 20293 of 2016
Date of decision:28.9.2016

Suba Singh

... Petitioner

Versus

State of Haryana & ors.

... Respondents

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

Present: Mr. YP Malik, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

The Haryana Staff Selection Commission, Panchkula, seriously disputes the assertion of the petitioner that he appeared for the written test. The Commission says that he never appeared for the test and there is no evidence in this regard. The petitioner says that he has filed an affidavit in this petition averring that he appeared for the test. Obviously, this becomes a seriously disputed question of fact, which cannot be entertained in writ jurisdiction and the petitioner is relegated to Civil Court to prove his case on evidence. It may not be possible in writ proceedings to return a finding either way to resolve the word of the petitioner as against the word of Commission, since evidence cannot be recorded by the writ Court.

The petition stands dismissed with the aforesaid liberty.

(RAJIV NARAIN RAINA)
JUDGE

28.09.2016
monika

Whether speaking/reasoned *Yes*

Whether reportable *No*