

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

Date of decision: 14.12.2016

CWP No.24472 of 2016

Mayank Singh

...Petitioner

Vs.

Haryana Public Service Commission & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Jai Vir Yadav, Advocate, for the petitioner.

Mr. H.N.Mehtani, Advocate, for respondent No.1.

Mr. Siddharth Sanwaria, DAG, Haryana, for respondent No.2.

RAJIV NARAIN RAINA, J. (ORAL)

In compliance of the interim order dated 28.11.2016, the result has been produced in sealed cover by Mr. H.N.Mehtani representing the Haryana Public Service Commission. The Court Secretary is requested to open the envelope in Court. A perusal of the result (containing 3 pages) sent by the Secretary, Haryana Public Service Commission, Haryana, Panchkula discloses that the petitioner has secured 57.33 marks in grand total in the BC-B reserved category, whereas candidate Sohan Singh has secured 72.22 marks and topped the examination. Since only one post of Assistant Professor (Defence Studies) was advertized in BC-B category, the petitioner can stake no claim to appointment. The photocopy of the result is retained on record as Mark-‘A’.

Leaving aside the result, Mr. Yadav submits that his client has sought a declaration in this case that he was eligible and when that was denied, he came to this Court and under interim orders his client was interviewed.

Referring to letter dated 31.10.2016 (Annex P-12) sent by the Secretary, Haryana Public Service Commission, Panchkula to the Director, Higher Education Department, Haryana, he submits that the Government must answer the query in the letter seeking advice so that the petitioner knows where he stands in the future, when he applies in case of advertisements issued for filling vacancies.

Having heard learned counsel for the parties, I find no sufficient ground to keep this petition pending. But the prayer is substantial and deserves looking into. Instead of debating the issue in a vacuum, a direction is issued to the respondent – State to take a final decision on the letter, where the petitioner would have a right to produce material in support of his stand in this petition. The entire relevant material will be considered and a speaking order will be passed by the Government declaring the position for future recruitments wherever and whenever the moot question arises regarding the degree possessed by the petitioner and its equivalent qualifications. The final order will be communicated to the petitioner within a period of two months.

With these observations and directions, the petition stands disposed of.

14.12.2016
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>