

CWP No. 5556 of 2016
Date of decision : 29.09.2016

Amit Kumar

..... Petitioner

versus

State of Haryana & Ors.

..... Respondents

CORAM : HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present : Mr. Sajjan Singh Malik, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

Mr. H.N. Mehtani, Advocate
for respondent No. 3.

RAJIV NARAIN RAINA, J. (Oral)

Mr. Mehtani while appearing on behalf of Respondent 3, i.e., the Haryana Public Service Commission makes statement that this petition has been rendered infructuous.

Mr. Mehtani explains the factual position that in the original requisition sent by the State Government for filling up the post of Assistant Professor in the subject of Geography, out of 171 vacancies advertised in different subjects, 2 of them were reserved for candidates belonging to the physically handicapped Ortho (General Category) and one in the physically handicapped Ortho (Scheduled Caste Category). However, on revised requisition sent by the Government of Haryana, a corrigendum was issued by Haryana Public Service Commission on 29.04.2016 Annex R-2 whereby the vacancies meant for persons with disability have been re-classified as Physically Handicapped (Visually

Handicapped) and Physically Handicapped (Ortho) in place of earlier classification as between General/Scheduled Caste category and thus 5 posts are kept reserved for the physically handicapped (VH) and in physically handicapped (Ortho) class of candidates. The petitioner falls in the category of physically handicapped and with the enlargement of the zone of vacancies in his class, his grievance stands redressed as it increases the chances of selection of the entire category. Therefore, Mr. Mehtani is right in his submission that the petition has been rendered infructuous.

However, keeping in view the apprehension expressed by Mr. Sajjan Singh Malik, it is recorded that in case appointments are made in the category of physically handicapped and there is a mistake or error committed in the operation of the roster points meant for the advertised physically handicapped category vacancies, it will always remain open to the petitioner to approach the Court for correction of errors, if they are apparent on the face of the record.

Accordingly and with the liberty, the petition stands disposed of as infructuous.

29.09.2016
Yogesh

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable :	No