

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

**C.W.P No. 9807 of 2016
Date of decision : 18.05.2016**

Priyanka

....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 09.05.2016 (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 Public Administration the different ink (Red) used for signature of examiner, on marking inside the answer sheet table of marks and for totaling of marks.

In the answer sheet of Mathematics there is a cutting on marks on page No. 16 and 17 by increasing 4 marks. Different ink has been used and there is no initial on it. In this way in the table of marks 4 marks have been increased for question No. 2.

In the answer sheet of General Studies question No. 4(ABC) attempted by the candidate on page No. 12 to 16 Examiner has given 2 marks for part-A and 1 and 2 marks for part-B and C. In this way, total comes to 5 whereas the examiner has given 3 marks.

Less marks have been given for question 7-A to the candidate.

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 22.04.2016 (Annexure P-9) and pass appropriate order in accordance with law, within a period of three months.

**(RITU BAHRI)
JUDGE**

18.05.2016

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