

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-13694-2014 (O&M)

Date of Decision:-10.11.2017.

Jony Kumar

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Ajay Saini, Advocate for the petitioner.

Mr. Alankar Narula, Advocate for

Mr. Prateek Gupta, Advocate for respondent No.1.

P.B. BAJANTHRI, J. (Oral)

In the present petition, petitioner has sought for the following relief:-

i) Issue a writ, order or direction in the nature of certiorari quashing the order dated 23.08.2013 (Annexure P-1) vide which the candidature of the petitioner for Recruitment of Sub-Inspectors in CPOs, Assistant Sub-Inspectors in CISF and Intelligence Officers in NCB Examination, 2011 has been rejected stating that there is incontrovertible evidence discovered by post-examination analysis and scrutiny, and he has been debarred from the Commission's examination for a period of five years. Thus, his candidature has been cancelled and he has been debarred for a period of five years from the

Commission's examinations, without prejudice to the rights of the Commission, to initiate / seek criminal proceedings against him in violation of principles of natural justice without explaining in detail about how petitioner committed and supported allegation in detail. And further a writ in the nature of Mandamus may kindly be issued directing the respondents to treat the petitioner as eligible for Recruitment of Sub-Inspectors in CPOs, Assistant Sub-Inspectors in the CISF & Intelligence Officers in NCB Examination, 2011, and as such he may be given appointment from the date same is to be given to his juniors with benefit of salary and allowances and interest @ 18% per annum from the date the amount became due to the actual date of payment.”

Learned counsel for the first respondent fairly submitted that petitioner's name would be re-considered for selection and appointment to the post of Sub-Inspector in CPOs, Assistant Sub-Inspector in CISF and Intelligence Officers in the NCB Examination held in the year 2011. In view of the said submission, Annexure P-1 dated 23.8.2013 is set aside. The concerned respondents are hereby directed to re-examine the petitioner's claim and consider his name for selection and appointment for the post for which he is a candidate within a period of 10 weeks from today.

Accordingly, petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

November 10, 2017.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.