

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CWP-21874-2017

Date of decision : 12.10.2017

Somit Singh

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Tarun Dhingra, Advocate
for the petitioner.

Mr.Hitesh Pandit, Addl.A.G. Haryana.

AMOL RATTAN SINGH, J.(ORAL)

Pursuant to the order dated 06.10.2017, Mr.Pandit, Addl.A.G. Haryana, has produced in Court today a document showing that the petitioner secured 64 marks out of 160 marks in the written examination, with the last candidate called for an interview in his category, i.e. of scheduled caste candidates, having secured 70 marks.

Learned counsel for the petitioner submits that if the petitioner had obtained lesser marks than the last candidate called for an interview, the petitioners' roll number would not have figured in the result announced by the Commission, a copy of which is Annexure P-3.

Learned State counsel, on instructions, submits that as a matter of fact the said result, as can be seen from what is stated in the heading of the result itself, is for the purpose of calling candidates for scrutiny of documents before interview and as such, almost 4 times the number of

the aforesaid list; but candidates only twice the number of posts advertised were called for interviews, the cut off marks being calculated in each category accordingly.

Learned counsel for the petitioner has then submitted that amounts to changing the criteria already published by the respondent Commission; however, in the opinion of this Court that is a completely fallacious argument, inasmuch as it is not denied that the number of candidates called for interviews were twice the number of posts advertised, with this Court (co-ordinate Bench) already having rejected various petitions seeking that thrice the number of candidates be called. Thus, if the respondents called double the number of candidates eventually to be interviewed, for the purpose of scrutiny of documents, to ensure that after elimination of any ineligible person, at least twice the number of candidates are called for interviews, as are the number of posts advertised, I do not see how that amounts to a change in the criteria and how the petitioner in any case is prejudiced by that. If anything, the petitioner would stand to gain, as he may have come within the zone of consideration on account of ineligible candidates having been weeded out.

Consequently, this petition is dismissed. No order as to costs.

(AMOL RATTAN SINGH)
JUDGE

October 12, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No