

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-272-2017 (O&M)

Date of Decision: March 14, 2017

Gaurav

.....Appellant

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.R.K.Saini, Advocate
for the appellant.
Mr.Deepak Balyan, Addl.AG, Haryana.
Mr.H.N.Mehtani, Advocate
for respondent No.2.

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SURYA KANT, J.

This Letters Patent Appeal is directed against the order dated 14.02.2017 whereby learned Single Judge has dismissed the appellant's writ petition by following an earlier decision dated 30.01.2017 rendered in CWP No.1379 of 2017 (**Rekha Jangra vs The State of Haryana and others**).

[2] The appellant applied for the post of Junior Engineer (Mechanical) in the General Category. He qualified the written test held on 29.11.2015, result of which was declared on 18.01.2017. The appellant was required to submit the documents for scrutiny on 02.02.2017 or 03.02.2017. He however submitted such documents on 09.02.2017 due to which his candidature was rejected. The aggrieved appellant approached this Court but the learned Single Judge has dismissed his writ petition.

[3] Since the appellant has taken the plea that his mother met with

an accident on 16.01.2017 and she had to undergo a major surgery on

20.01.2017 at General Hospital, Sector 16, Chandigarh and he being the only attendant to look after his mother that he could not submit the documents on time, it appears to us that the appellant's request for entertaining his documents requires sympathetic reconsideration by the Haryana Staff Selection Commission.

[4] Though learned State counsel informs that meanwhile the result has been declared on 09.03.2017 but having regard to the fact that in the event of acceptance of the appellant's request by the Commission he would be entitled to be considered as per his merit, the instant appeal is allowed in part; the order of learned Single Judge is modified and the writ petition is disposed of with a direction that the Commission may sympathetically reconsider the appellant's request for condonation of delay. In case the Commission would be inclined to accept the appellant's request, the necessary consequences would be to call him for interview and determine his merit vis-a-vis other selected candidates. The appellant is directed to submit a representation alongwith medical certificate etc. within a period of one week whereupon the Commission is directed to take the decision within two weeks.

**(SURYA KANT)
JUDGE**

March 14, 2017
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**(SUDIP AHLUWALIA)
JUDGE**

- 1. Whether speaking/reasoned ?**
- 2. Whether reportable ?**

**Yes/No
Yes/No**