

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

CWP No.12498 of 2012 (O&M)

Date of decision: 19.12.2018

Harmander Singh

...Petitioner(s)

Versus

Punjab Public Service Commission, Patiala and others

...Respondent(s)

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. Prateek Rathee, Amicus Curiae for the petitioner(s).

Mr. Vikas Mohan Gupta, Addl. AG Punjab  
for respondent Nos.1 & 2.

None for respondent No.3.

None for respondent No.4.

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**Jitendra Chauhan, J. (Oral)**

The petitioner has challenged the selection of respondent No.3 to the post of Child Development Project Officer under BC ESM, Punjab category.

Respondent No.1 had issued advertisement No.4 of 2011 (Annexure P-1) for filling up 41 posts of Child Development Project Officer under various categories.

It is asserted that the petitioner being an Ex.Serviceman had applied against BC ESM category. As against one post which was reserved for the category of the petitioner, there were two candidates for the category in question. The other candidate did not appear for screening

test, therefore, the petitioner being the only candidate deserves to be selected against the post in question. He further submits that the category of respondent No.3 was changed to BC (ESM) at the stage of interview in connivance with respondent No.4 who is working as Superintendent Grade-I in the office of Chairman, PPSC, Patiala whereas in fact respondent No.3 had initially applied under BC category.

On the other hand, learned State counsel for respondent Nos.1 & 2 states that the relevant data of the candidates as mentioned in their application form, was fed by a private company namely Sarvatra IT Services Pvt. Ltd. and while feeding the data of the candidates, the category code of three candidates, namely, Harbans Singh (respondent No.3), Manjit Singh and Narinder Pal Singh was recorded as Code No.85 for BC category instead of Code No.86 for BC (ESM) category. The petitioner had applied under the category Code No.86 for BC (ESM) category and due to the clerical error, the result of the screening test declared under category Code No.85 of the above mentioned candidates.

Heard.

In pursuance of order dated 06.12.2018, the OSD, PPSC is present in Court along with complete record in a sealed cover. The same has been opened in Court and is ordered to be kept with Court for proper appraisal and adjudication of the controversy till the finalization of the judgment.

The petitioner has challenged the selection of respondent No.3 to the post of Child Development Project Officer under BC ESM,

Punjab category by alleging that earlier respondent No.3 had applied under BC category alone and at the stage of interview, the category has been changed to BC (ESM) category with the connivance of respondent No.4, who is working Superintendent in PPSC, Patiala. However, there is nothing on record to substantiate his assertion which appears to be misconceived. Further, after perusal of the entire record produced today in Court by OSD, PPSC, it transpires that in fact there was some deficiency by the service provider i.e. Sarvatra IT Services Pvt. Ltd. and while feeding the data of all the candidates, the category code of three candidates was wrongly reflected as Code No.85 instead of Code No.86 which appears to be a typographical mistake; there were total four candidates in the category of the petitioner including the petitioner. Respondent No.3 secured 50.29 marks whereas the petitioner secured 48.65 marks and being higher in merit, respondent No.3 was selected against the post in question.

Keeping in view the above, finding no merit in the instant petition, the same is dismissed.

The original record is ordered to be returned to OSD, PPSC, Patiala in a sealed cover.

19.12.2018

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**(JITENDRA CHAUHAN)**  
**JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No