

CWP No. 10308 of 2018

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

**CWP No. 10308 of 2018
Date of decision: 26.4.2018**

Raj Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Jasbir Mor, Advocate
for the petitioner.

ARUN PALLI, J. (Oral)

Notice of motion.

Mr. R.K. Doon, AAG, Haryana, present in court, accepts notice on behalf of the respondents. Copies supplied.

In the nature of order I propose to pass, no formal written statement(s)/counter-affidavit(s) on behalf of the respondents are indeed necessary at this stage. Thus, with the consent of the learned counsel for the parties, the petition is being disposed of finally.

In response to the advertisement, dated 18.5.2017 (Annexure P-1), the petitioner competed for selection to the post of Heavy Vehicle Driver in the OSP (General) and EBPG Categories. He qualified the written

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examination as also the driving proficiency test. His documents were duly scrutinized. The petitioner alleged to have represented to the respondents at that stage itself, vide representation dated 13.2.2018 (Annexure P-10), clarifying that there was no such category as “EBPGC-OSP”, and therefore, his candidature was required to be considered individually in both the categories, i.e. EBPG and OSP (General). Yet, he was issued an admit card to participate in the interview in the EBPG-OSP Category. The final results have since been pronounced on 3.3.2018, and the petitioner has failed to qualify for selection.

However, his grievance is; that the respondents ought to have considered his candidature in the Outstanding Sports Person (General) as also in Economically Backward Person (General) Categories. And, as there were 20 posts in the OSP (G) Category, and results of only 10 have since been declared, the petitioner had a fair chance to qualify, had his candidature been considered accordingly. Further, it is submitted that the last candidate, who has been selected in the OSP (G) Category, had obtained 78 marks, in the written test and interview, whereas, as per the self assessed OMR sheet, on being compared with the answer key uploaded by the Commission on its website, the petitioner has secured 104 marks in the written examination alone. It is urged that even prior to the institution of this petition, the petitioner had represented to the respondents in this regard, vide representation dated 5.3.2018 (Annexure 14). But to no avail.

In response, learned State counsel submits that claim/grievance of the petitioner, as also his representation, dated 5.3.2018 (Annexure P-14), shall be considered and duly dealt with, within a period of four weeks from today. And appropriate orders, in accordance with law, shall be passed and

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communicated to the petitioner.

The petition is accordingly disposed of, in the above terms. In the event, the claim/grievance of the petitioner is declined, the respondent authority shall pass a comprehensive order, assigning reasons in support thereof.

26.4.2018
Ak Sharma

(Arun Palli)
Judge

Whether speaking / reasoned:	YES
Whether Reportable:	NO