

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.105 of 2018

Date of Decision: 09.01.2018

Vishvajeet Singh

... Petitioner

Versus

The State of Haryana and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Aditya Yadav, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.

1. The petitioner applied for direct recruitment to the post of Heavy Vehicle Driver but by mistake under the category of BC-A while he belongs to BC-B class. If his candidature is processed any further in the wrong category his case would be inevitably rejected. He will be denied consideration in the selection process in the limited reserved category only to be considered in the general category.

2. The petitioner has approached the Haryana Staff Selection Commission for rectifying the mistake committed in the online application process in which caste 'Ahir' was mentioned by him but by oversight shown in category BC-A.

3. It is the case of the petitioner that the caste 'Ahir' falls in reservation of BC-B category as per caste notification and, therefore, the mistake is innocuous and curable, since he has proof he belongs to BC-B.

Besides, no prejudice would be caused to anybody if the application form is rectified.

4. At the hearing today, learned counsel has produced a caste certificate issued by the Tehsildar, Mahendragarh on December 27, 2017 in which it is certified that the petitioner belongs to Ahir caste which is mentioned in State list of BC Block 'B' for purposes of reservation in appointments. It has been further certified that the petitioner does not belong to the Creamy Layer. This certificate is not on record nor has it been produced before the respondent Commission.

5. Since the grievance can be redressed by the Commission itself, this petition is disposed of with a direction to the Commission to look into the caste documents of the petitioner and take a final decision as to what category does his case fall in and, thereafter, communicate the decision to the petitioner. The petitioner would submit a representation with his testimonials in proof of caste and the Commission would pass an order thereon well before the interview process starts.

6. The petition is disposed of with the above directions.

(RAJIV NARAIN RAINA)
JUDGE

09.01.2018
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Whether speaking/reasoned Yes

Whether reportable No