

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 10.01.2018****CWP No.138 of 2018**

Raj Pal

...Petitioner

Vs.

Haryana Staff Selection Commission

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Balraj Singh Rathee, Advocate, for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana, for the respondent.

RAJIV NARAIN RAINA, J. (ORAL)

1. In compliance of the previous order, original record has been produced in Court by Ms. Shruti Jain Goyal. A perusal of the record shows that the petitioner makes the cut above the last candidate called for interview. His case has been rejected on a frivolous and untenable ground that of the two certificates of experience produced by the petitioner from 'Jaiswal & Associates', one bears the rubber stamp of the firm while the other does not. Even if the one bearing rubber stamp is accepted and the other ignored, the result would be the same. They both certify that the petitioner worked in the organization from 05.07.1995 to 17.07.1997 as an Architectural Assistant.

2. Ms. Goyal on instructions from the Haryana Staff Selection Commission submits that the certificates do not disclose the registration number of the firm of Architects run in the name and style of 'Jaiswal & Associates'. This is an argument only to be noticed and rejected. Law does

not require an architect and his associates should form a company or a firm which is registered under the regulatory laws.

3. Having heard learned counsel for the parties and keeping in view the fact that the petitioner is higher in merit in the written examination than the last candidate called for interview, I deem it appropriate to allow this writ petition. The decision debarring the petitioner in the interview process is held to be an utterly perverse decision and the same is not sustainable and is accordingly quashed. The petitioner shall be interviewed on 12.01.2018 for the post of Junior Draftsman advertised in the Town & Country Planning Department, Haryana.

4. Since the ground taken for ignoring the petitioner is wholly wanton and fallacious, the Haryana State Selection Commission is directed to pay ₹50,000/- as costs to the petitioner at the time of interview for needlessly compelling him to approach this Court and waste its time. Costs are made recoverable by the respondent from those who took the impugned decision without any application of mind.

5. It will be open to the respondent in the event of appointment of the petitioner, to verify the aforesaid certificates, in case of doubt.

6. A copy of this order be given to the learned counsel under the signature of the Bench Secretary.

10.01.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>