

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

CWP No.14056 of 2018 (O&M)

Date of decision: 07.12.2018

Mithlesh

...Petitioner

Versus

Haryana Public Service Commission and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vijay Kumar Sheoran, Advocate,
for the petitioner.

Ritu Bahri, J.

Petitioner is seeking quashing of the final result dated 01.12.2017 (Annexure P-4), whereby two posts of Assistant Professor (College Cadre) in the subject of English belonging to BC-B category have been filled up by candidates belonging to Ex-servicemen category and Physically Handicap category.

As per advertisement (Annexure P-1), in the subject of English, total 78 posts of Assistant Professor (College Cadre) were advertised, out of which, 12 posts were kept reserved for Ex-servicemen category and 02 posts were for BC-B category. For Physically Handicapped, only one post was advertised. Pursuant to the selection, a candidate in the Ex-servicemen category belonging to BC-B has been appointed against one post and the second post has been given to the Physically Handicapped person belonging to BC-B category.

Hon'ble the Supreme Court in **Rajesh Kumar Daria V/s.**

Rajasthan Public Service Commission and others, 2007(4) S.C.T. 99 has considered the implementation of the horizontal and vertical reservation, wherein it has been held that for the purpose of vertical reservation, as in the case of Ex-serviceman, first by merits reserved seats have to be filled in and thereafter, candidates belonging to the Ex-serviceman category will be given the post.

In the present case, Ex-serviceman candidate belonging to BC-B category has rightly been appointed against the post(s) reserved for BC-B category as per his merit.

In view of the above, no case for interference is made out.

Dismissed.

(RITU BAHRI)
JUDGE

07.12.2018.

ajp

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No