

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

Amit Kumar
2018.01.23 13:55
I attest to the accuracy and
integrity of this document

CWP No. 1431 of 2018
Date of decision: 23.01.2018

Ashish Yadav

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

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

ARUN PALLI, J. (Oral)

Notice of motion.

Mr. Siddharth Sanwaria, DAG, 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 parties, the petition is being finally disposed of.

Vide advertisement dated 24.11.2015 (Annexure P-1), Haryana Staff Selection Commission advertised post of Clerks. Even though the petitioner belonged to OSP-BCB category, but inadvertently, he applied in the BC-B category. Out of total posts that were advertised, i.e. 6126, 203 posts were reserved for BC-B category and 33 in the category of OSP-BCB. Petitioner appeared in the written examination and as per the revised answer key, he had secured 122 marks. But, in the BC-B category, in which he had applied, the cut off marks were 148. Resultantly, the petitioner was not called for interview. However, having realised that he ought to have applied in the OSP-BCB category, the petitioner purports to have represented to the

respondents to consider his candidature, for he indeed was an outstanding sports person as well. Particularly, for the cut-off marks in the said category (OSP-BCB) were 108, whereas, the petitioner had secured 122 marks. It is urged that vide notice dated 10.1.2018 (Annexure P-11), the Commission has given another opportunity to the candidates, who could not appear earlier, to appear for scrutiny of documents and interview on 23.1.2018 and 24.1.2018. The petitioner purports to have represented to respondent No.2 again vide representation dated 13.1.2018 (Annexue P-12), but that too has yielded no result. It is submitted that, in the given situation, if the petitioner is not provisionally interviewed, he shall suffer an incalculable loss.

In response, learned counsel for the respondents submits that the claim as also the representation of the petitioner shall be considered and dealt with by the respondents today itself. And appropriate orders, in accordance with law, shall be passed. And the petitioner, through his counsel, shall be communicated the decision/order in time.

The petition is accordingly disposed of, in the above terms.

23.01.2018
Ak Sharma

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO