

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 07.03.2018****CWP No.23908 of 2017**

Suresh Kumar

...Petitioner

Vs.

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ankur Mittal, Advocate, for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

Mr. Girish Agnihotri, Senior Advocate, with
Mr. Ishaan Bhardwaj, Advocate, for respondents No.3 to 8.**RAJIV NARAIN RAINA, J. (ORAL)**

Looking to the mammoth figures in Para.4 of the affidavit filed by the Secretary (Legal), Haryana Staff Selection Commission and the essential qualification for the post of Clerk reproduced in Para.3 of the affidavit, the voice of the petitioner is drowned and he is left with no legitimate and actionable grievance. The Commission has had to deal with as many as 11,51,682 online applications for filling up 6134 vacancies/posts of Clerk in various Departments of the Government of Haryana. Further complications have arisen due to bracketed candidates, clusters of whom securing the same marks requiring all to be called for scrutiny of documents and interview. As many as 13,494 candidates were called for scrutiny and interview and because 1765 number of candidates were absent during scrutiny and interview, there was shortage of 937 eligible candidates in

different categories to comply with the rule of calling candidates twice the number of vacancies.

The Commission has placed document Annex R-Y in its subsequent affidavit dated 05.12.2017 in which the entire picture has been disclosed in tabular form. From 07.03.2018 onwards further interviews are being conducted to make good the shortfall of 937 candidates. The State has impressed upon the Court that it is only after the scrutiny of documents that declaration regarding eligibility/non-eligibility made before the candidates were put to the process of interview, although on the same day, and the Commission have substantially followed the mechanism in CWP No.22746 of 2016 titled 'Satish Kumar Malik & others Vs. State of Haryana & others' decided on 15.11.2016.

It may be mentioned that in *Satish Kumar Malik's* case, the essential qualifications were entirely different from the case in hand. Other than 10 & 10+2 etc as in this case, there was a condition of qualifying the HTET test, which is not the position in the case of Clerks of which the present petition is concerned.

In view of the above, I find that no ground for interference is made out or any error committed by the respondents and would dismiss this petition.

07.03.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

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