

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

Date of decision: 06.03.2018

CWP No.24280 of 2017

Hemlata ...Petitioner

Vs.

State of Haryana & another ...Respondents

CWP No.24414 of 2017

Sunita Devi ...Petitioner

Vs.

State of Haryana & others ...Respondents

CWP No.24279 of 2017

Rahul Yadav ...Petitioner

Vs.

State of Haryana & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Jangvir S. Hooda, Advocate,
 for the petitioner in CWP No.24280 of 2017.

Mr. R.S.Dhull, Advocate, for
 Mr. Gurpreet Singh, Advocate,
 for the petitioner in CWP No.24414 of 2017.

Mr. Himanshu Rao, Advocate,
 for the petitioner in CWP No.24279 of 2017.

Ms. Shruti Jain Goyal, AAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

This order will dispose of the aforementioned three writ petitions, as the cause they espouse and the factual and legal issue involved

CWP No.24280 of 2017;
CWP No.24414 of 2017 &
CWP No.24279 of 2017

is common and identical and, therefore, they can be conveniently decided by a single order.

These petitions have been filed by Dependents of Ex-servicemen claiming right to be called for interview for the post of Clerk. Petitioners in CWP No.24280 of 2017 and CWP No.24414 of 2017, namely, Hemlata and Sunita Devi respectively have applied under the DESM (General) category, while petitioner in CWP No.24279 of 2017, namely, Rahul Yadav applied under the DESM (BC-B) category.

Learned Law Officer points out that there are sufficient number of Ex-servicemen available for filling the advertised vacancies and they have to be considered first. It is only in case one or more of them fall out of consideration from Ex-servicemen category, then a Dependent of Ex-servicemen has a right to be considered. The cut-off for ESM(General) category is 88 marks, while Hemlata (petitioner in CWP No.24280 of 2017) has secured 100 marks and Sunita Devi (petitioner in CWP No.24414 of 2017) has secured 102 marks. Similarly, cut-off for ESM (BC-B) category is 56 marks, while Rahul Yadav (petitioner in CWP No.24279 of 2017) has secured 76 marks.

In view of the factual position explained above, all the petitions are disposed of with a direction to the Haryana Staff Selection Commission, Haryana, Panchkula that in case there are available vacancies in the aforesaid category, then the cases of the petitioners will be considered strictly as per merit in the selection process. In that eventuality, the Commission will ensure that the petitioners are dealt with fairly and they will not be needlessly compelled to knock the door of this Court by a

CWP No.24280 of 2017;
CWP No.24414 of 2017 &
CWP No.24279 of 2017

patently bad decision and justice will be done to them by the Commission in accordance with law, failing which on imposition of exemplary costs.

06.03.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

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