

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

**CWP No. 24678 of 2017 (O & M)
Date of Decision:-27.09.2018**

Robin Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Baldev Singh Badhran, Advocate
for the petitioner.

Mr. S.K. Yadav, DAG Haryana.

Mr. G.S. Gopera, Advocate
for the applicant.

RITU BAHRI J.(Oral)

The result has been opened in Court today. The petitioner has secured 118 marks in the written examination and 09 marks in viva voce in total 127 marks. The result is returned back.

Petitioner is a candidate for the post of Water Pump Operator in the category of EBPG for which there are 58 seats. As per the application form (Annexure P-7) this category was reflected as EBPGC-Outstanding Sports Person. He was issued admit card on 07.5.2017

(Annexure P-7) for both the categories. He cleared the written examination as per the result on 04.7.2017 (Annexure P-8). He was called for scrutiny of documents and was asked to apply only against EBPG.

While issuing notice of motion, petitioner was directed to be provisionally interviewed under the EBPG category. Today the result has been opened and the petitioner has secured 118 marks in written examination and 09 marks in viva voce, in total 127 marks.

Counsel for the applicant on an application under Order 1 rule 10 CPC states that as per the application form (Annexure P-7) he has made this application under two categories.

Counsel for the petitioner verifies that he was never outstanding sportsman and no gradation certificate was in his possession. By mistake he mentioned this category and no post of outstanding sports person under the EBPGC category had ever been advertised. Hence, his case is rightly to be considered against the category of Economically Backward Class. The eligibility certificate (Annexure P-5) is the certificate dated 05.12.2016 to the effect that petitioner belongs to Economically Backward Class Category. Hence, he was duly qualified to apply for this post.

Counsel for the State on instructions from Shri Vinay Singh and as per the record has informed the last selected candidate under the EBPG category has got 116 marks.

Since the petitioner has got 127 marks, is duly selected.

Consequently, the writ petition is allowed and the respondents

are directed to issue appointment letter to the petitioner forthwith.

The application under Order 1 rule 10 CPC is hereby dismissed.

September 27, 2018
Vijay Asija

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No