

**CM No.16143-CWP of 2018 in/and
CWP No.26693 of 2018 (O&M)**

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

**CM No.16143-CWP of 2018 in/and
CWP No.26693 of 2018 (O&M)
Date of Decision: October 25, 2018**

Ishaan Sharma and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Ms.Roja Agnihotri, Advocate
for the petitioners.

Mr.B.R.Mahajan, Advocate General, Haryana with
Mr.Ankur Mittal, Addl.A.G., Haryana with
Mr.Manoj Dhankhar, AAG, Haryana.

Mr.Kanwal Goyal, Advocate
for respondent No.2.

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RAJESH BINDAL, J.

CM-16143-CWP-2018

Prayer in the application is for preponing of the date of hearing
of the main petition.

Notice in the application to counsel opposite.

Ms.Roja Agnihotri, Advocate for the non-applicant-petitioners,
who is present in Court, accepts notice and has no objection to the prayer of
the applicant being granted.

CM allowed. The date of hearing in the main petition is

preponed from March 20, 2019. The same is taken up for hearing today.

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Learned counsel for the petitioners submitted that as the last date for receipt of applications was extended and the petitioners have been able to upload their forms, the prayer made in the present petition has been rendered infructuous.

The writ petition is disposed of accordingly.

This Court is constrained to record that the Commission has filed application in this Court with affidavit signed by the Superintendent working there as if there is no senior officer available in the Commission. The practice needs to be deprecated.

At the time of hearing it was pointed out that the decision to extend the date for submission of applications was taken up in the meeting of the Selection Committee HCS (JB) in this Court held on 17.10.2018, on a reference made by the Commission. It has been recorded in the minutes of the aforesaid meeting that the Agency which was entrusted the job of receipt of online applications by the Commission will issue a Certificate within a week regarding breakdown/malfunctioning of the server alongwith necessary proof. Meeting was attended by the Chairman of the Commission. However, admittedly till date there is no certificate with the Commission. The only thing available with the Commission, on the basis of which reference was made to the High Court, is a noting on the official file of the Commission by some person signing on behalf of the Safedot eSolution Private Limited. The person who had put a noting in the official

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file of the Commission has not even mentioned his designation and the Authority. In fact, the official file was referred to him, instead of seeking explanation is a procedure totally unknown. An official file is never referred to a private person for comments therein.

The Commission needs to explain this conduct. For that the matter be listed on 14.11.2018.

**(RAJESH BINDAL)
JUDGE**

October 25, 2018
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**(MAHABIR SINGH SINDHU)
JUDGE**

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|---------------------------------------|---------------|
| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |