

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

CWP No. 3395 of 2018

Date of Decision: 27.04.2018

Dinesh Kumar

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ram Kumar Saini, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. The Haryana Staff Selection Commission advertised 550 vacancies of Male Constable (General Duty) in the category of BCB vide advertisement No. 08/2015 in Haryana Police. The petitioner applied for the post under the BCB Category and secured 69.10 marks which was also the cut off. The result was declared on 23.06.2017. The petitioner has approached this Court complaining that he has equal marks with one Kuldeep Singh whose name figures at Serial No. 114351 of the details of candidates who has also secured 69.10 marks. The petitioner has approached this Court after a delay of about 08 months in the direct recruitment process.

2. The petitioner has made a representation which he expects is bound to be decided by the Commission. I do not find any statutory obligation on the Commission to answer each and every query by an unsuccessful candidate. The petitioner could have spent his time better in applying for information under the Right to Information Act, 2005 to elicit the reason of non-inclusion in the select list even though he

secured cut off percentage. Apparently, the tie-breaker must have been applied which in all probability would be by age of the candidate.

3. No ground to interfere in the discretionary jurisdiction under Article 226 of the Constitution of India is made out. Accordingly, the present petition is dismissed.

4. While dismissing the petition, liberty is granted to the petitioner to seek information from the Commission but the Court will not enter into a fishing enquiry in the matter and mechanically issue notice to the respondents.

(RAJIV NARAIN RAINA)
JUDGE

27.04.2018

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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*