

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 27.02.2018****CWP No.4749 of 2018**

Naresh Kumar

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Jasbir Mor, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

When the petitioner applied for the post of Heavy Vehicle Driver, he relied on the experience certificate dated 09.11.2011 earned on a driving license for Light Motor Vehicle. The certificate issued represents the period from 15.05.2008 to 15.05.2011 driving a lawyer's car. Today, he seeks to protect his candidacy by producing an experience certificate dated 28.02.2017 showing that he had worked as a heavy vehicle driver from 18.12.2013 to 12.02.2017 with Nagpur Gujrat Roadlines, Jind Road Bye Pass, Opp. Maharaja Aggarsain Hospital, Kaithal.

The eligibility in the advertisement has to be determined from the cut-off date and only such evidence as is available on the cut-off is to be produced at the time of interview only to confirm the statement made in the on-line application form. Therefore, there is no legal infirmity in the action of the Commission if the case of the petitioner has not been considered for interview. In any case, seriously disputed questions of fact are involved relating to the experience certificates of the petitioner which cannot be

resolved in writ jurisdiction, which will require evidence to prove genuineness.

Consequently, the instant petition is dismissed. The dismissal of the petition will not preclude the petitioner from avail remedy before the Civil Court.

27.02.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*