

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

CWP No.7170 of 2018

Date of Decision : 22.03.2018

Balinder Singh

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

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

ARUN PALLI, J. (Oral)

Notice of motion, confined to respondents No.1 to 3 only, at this stage.

Mr. R.K.Doan, AAG, Haryana, present in Court, accept notice on behalf of respondents No.1 and 2 and Mr. Kanwal Goyal, Advocate for respondent No.3. Copies furnished.

In the nature of order I propose to pass in the matter, no formal written statement(s)/counter affidavit(s), on behalf of the respondents, is indeed necessary, at this stage. Thus, with the consent of learned counsel for the parties the petition is being disposed of finally.

The petitioner competed for selection to the post of Assistant Professor, College Cadre (Computer Science), in response to the advertisement dated 16.02.2016 (Annexure P-3), in the general category. Petitioner qualified the written examination and was even called for interview. However, as per the final results pronounced by the Commission, he failed to qualify for selection. The limited grievance that he has is; that question Nos. 84, 4, 42 and 16 of paper set 'D' have since been wrongly deleted by the Commission, as

these were neither incorrect nor ambiguous or out of syllabus. Therefore, the petitioner is entitled to be awarded marks for these four questions. Further, for question Nos. 32, 34 and 38 of paper set 'D' were incorrect or ambiguous or out of syllabus, the respondents ought to have deleted those questions as was done as regards 14 other questions by the Commission, and the benefits of marks be accordingly extended to all the candidates. Of course, it is also prayed that the results be accordingly revised. The petitioner purports to have even represented to the respondents, vide representation dated 6.3.2018 (Annexure P-29), in this regard, but to no avail. Obviously, the process of selection has since been concluded, but no appointments have yet been made.

In response, learned counsel for the respondents submit that the claim/grievance of the petitioner as also his representation dated 6.3.2018 (Annexure P-29), shall be considered and dealt with within a period of six weeks from today, which however, shall be without prejudice to the pleas/defences available to the respondents as regards delay etc., if any, in making this grievance. And, appropriate orders, in accordance with law, shall be passed and communicated to the petitioner.

The petition is accordingly, disposed of, in the above terms. However, in the event, the claim of the petitioner is declined, the respondents-authority shall pass a comprehensive order assigning reasons in support thereof.

22.03.2018

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No