

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

**LPA-366-2019 (O&M)
Date of Decision: February 28, 2019**

Anil Kumar

...Appellant

Versus

Haryana Staff Selection Commission

...Respondent

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE.**

HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.

Present: Mr. Ashwani Nagra, Advocate, for the appellant.

Mr. Sharad Aggarwal, AAG, Haryana,
for the respondent.

KRISHNA MURARI, C.J. (ORAL)

This intra-court appeal, under Clause X of the Letters Patent, is directed against an order and judgment, dated 16.11.2018, passed by the learned Single Judge, dismissing the writ petition filed by the appellant herein.

Writ petition was filed by the appellant raising a grievance that he has wrongly been deprived from appearing in the interview for the post of Mandi Supervisor-cum-Fee Collector, despite the fact that he had secured more marks than the cut-off marks in the Scheduled Caste Category.

Learned Single dismissed the writ petition on the ground that the selection process was already over when the appellant/petitioner has

approached this Court. A review application was filed against the said order which was disposed of on 13.12.2018, by modifying the order dated 16.11.2018, that the last date of interview was fixed for 25.10.2018 and the respondents are in the process of declaring the final result.

After hearing learned counsel for the parties, vide order dated 25.02.2019, we required the learned Additional Advocate General, Haryana, to file a short affidavit indicating the reason as to why the appellant/petitioner was not allowed to appear in the interview process.

A short affidavit has been filed on behalf of the respondent Haryana Staff Selection Commission, wherein it is stated that the appellant was not called for interview because he was not found eligible for the post in question, inasmuch as, he was not having computer certificate from a recognized institute. It has further been stated that the certificate attached by the appellant claiming computer knowledge, in fact, has been issued by the Institute of Management and Computer Accountants, Rohtak, which is not a recognized institute. It is also to be taken note of the fact that the appellant himself appeared for scrutiny of documents and he was duly informed the reason of his ineligibility by the respondent Haryana Staff Selection Commission by making a note: ***“Not eligible. Comp. Certificate is not from recognised Instt.”*** A copy of the scrutiny form duly signed by the appellant has been attached as Annexure R1/1 to the short affidavit.

In view of the fact that the appellant was not having the requisite ‘six months certificate in computer from a recognized institution’, we do not find any illegality or infirmity in the action of the respondent

Haryana Public Service Commission denying the appellant from appearing in the interview process for the post in question and the writ petition filed by him has been rightly dismissed by the learned Single Judge. The impugned order passed by the learned Single Judge does not call for any interference.

The appeal being devoid of merit is accordingly dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

February 28, 2019

P Kapoor

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO