

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 13709 of 2019

Date of decision :22.05.2019

Bijender Kumar

...Petitioner(s)

versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ashok Kaushik, Advocate for the petitioner.

RITU BAHRI , J. (Oral)

By this petition, the petitioner is seeking quashing of result dated 02.05.2019 (Annexure P-5) of Assistant District Attorney (Group-B) whereby 6 vacant posts of ESP category has been allotted to other category candidates.

The petitioner has participated for the post of Assistant District Attorney (Group-B) under the ESP category. The sports certificate of the petitioner is at Annexure P-7 which has been issued by the Sports & Youth Welfare Department, Haryana and is of 'C' grade. Learned counsel for the petitioner contends that out of 7 posts reserved under ESP category, 6 posts are still lying vacant and the Department is in the process of filling up these posts from the general category. Learned counsel for the petitioner further contends that even if the petitioner has 'C' grade sports certificate, he has a prior right of appointment than the general category.

Mr. Kiran Pal Singh, Assistant Advocate General, Haryana, has given instructions dated 18.05.2018, which are taken on record as Annexure A-1, whereby revised guidelines have been issued and in these guidelines, it is clarified that 'C' grade sports certificate will not be considered for Group-A and Group-B posts.

Keeping in view these instructions, the petitioner is not eligible for appointment to the post of Assistant District Attorney (Group-B) under the ESP category and at best the petitioner can compete against the general category posts on merit. However, the petitioner is at liberty to challenge the instructions dated 18.05.2018.

Dismissed.

22.05.2019

Divyanshi

(RITU BAHRI)
JUDGE

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