

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.13749 of 2017
Date of decision: 12.09.2019

Vikash Yadav ...Petitioner

Versus

State of Haryana and others ...Respondents

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Tarun Jindal, Advocate for
Mr. Sandeep Sihag, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

B.S. WALIA, J. (Oral)

1. Petitioner had applied for the post of Male Constable (GD) under BC-B category and appeared in the written examination, physical screening test and measurement test, but was not called for interview whereupon the instant writ petition was filed contending that on the basis of physical screening test, written test and measurement test, the petitioner had secured 64 marks, while the last selected candidate called for interview under BC-B category had secured 54.95 marks as per Annexure P/6 i.e. chart issued by the respondent-Haryana Staff Selection Commission.

2. Learned DAG has produced the final result sheet in sealed cover indicating marks obtained by the petitioner and states that

the petitioner was not called for interview on account of having secured marks less than the last candidate called for interview as per criteria fixed for calling candidates for interview i.e. three times the number of advertised posts. A perusal of the result produced reveals that the petitioner secured 13 marks out of 15 for physical screening test, 28.65 out of 60 in the written examination, 11 marks out of 15 in physical me. Relevant extract of the result produced by the learned Deputy Advocate General is reproduced as under:-

Sr .N o.	Roll No.	Candidate Name Father name	Cat. DOB	PST Marks/ 15	Written Marks/ 60	PMT Marks /15	Higher Qual./ 2 marks	NCC Marks/ 3 marks	Interview Marks / 5	Grand marks/ 100
1.	100100 6769	Vikash Yadav Dharam Pal	BCB 06/07/ 1995	13	28.65	11	0	0	3	55.65

Apparently, the assertion of the petitioner at the time of motion hearing that he had secured 64 marks out of 90 marks in the aggregate is incorrect. Learned DAG has also produced copy of the final result declared by the Commission for the post of Male Constable (GD) in response to advertisement No.8/2015 under BCB Category, which reflects the last selected candidate to have secured 61.40 marks.

3. Learned counsel for the petitioner has not been able to point out any material to substantiate the assertion in paragraph No.8 of the writ petition that as per the carbon copy of the OMR the petitioner had secured 40 marks out of 60 in the written examination. On the contrary, the record produced by the learned DAG reflects the petitioner having secured 28.65 out of 60 marks in the written examination and 55.65 marks in the aggregate.

4. In the light of the position as noted above, there is no merit in the writ petition. Accordingly, the same is dismissed.

(B.S. WALIA)
JUDGE

12.09.2019
rajesh.k.khurana

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| 1. Whether speaking/reasoned | : | Yes/No. |
| 2. Whether reportable | : | Yes/No. |