

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

CWP No. 20736-2017

Date of decision : 14.05.2019

Varinder Singh

...Petitioner

versus

Haryana Staff Selection Commission & ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

Mr. Kiran Pal Singh, AAG, Haryana

Mr. Vivek Chauhan, Advocate
for respondent No. 2

RITU BAHRI, J. (Oral)

Petitioner is seeking direction to the respondents to consider his candidature under S.C category for the post of Shift Attendant, pursuant to advertisement dated 20.02.2016 (P-1).

On 13.09.2017, this Court passed the following order:-

“Inter alia, contends that the petitioner applied for the post of shift-attendant in SC category and the relevant essential qualification is as under:-

“ i) Matric with 2 years ITI Course in Electrician/ Electronics/ Wireman trade of Linemn & Electrician (Maintenance & Repair of Electrical and Domestic Appliances) from VEI (Vocational Educational Institute) with a minimum 60% marks in respect of General-Category Candidates and 55% marks of SC Category candidates of Haryana Domicile. The percentage marks required for other categories would be same as for General Category candidates.
ii) Knowledge of Hindi/Sanskrit upto Matric Standard or higher education.”

It is submitted that petitioner has 42.67% marks in matric, but in diploma/Engineering of three years Electronics and Communication, he has scored 65.88% marks. It is pointed out from the Certificate issued by Punjab State Board of Technical Education and Industrial Training that the petitioner

*has done three years course in Electronics & Communication Engineering (through Lateral Entry), which is done after the ITI course, which is of two years in which he score 53.10%. Accordingly, it is contended that the petitioner is having a higher qualification and in view of Full Bench judgment passed in **Manjit Singh Vs. State of Punjab & Ors**, 2011(1) PLR 656, he cannot be excluded from consideration. It is, accordingly, submitted that the petitioner had secured 82 marks in the written test and after scrutiny of documents his name does not figure in the list of candidates called for interview. In the list (Annexure P/7), last candidate called in his category has got 70 marks.*

Notice of motion for 18.12.2017.

In the meantime, the petitioner shall be provisionally interviewed. However, result of the petitioner shall not be declared till further orders.”

Learned State counsel has produced the result of the petitioner in a sealed cover, which has been opened by the Reader of this Court. As per result, the petitioner has secured 66 marks in written examination, 06 in experience and 13 marks in viva voice (total 85 marks) and the last candidate has secured 89 marks under S.C category and in the waiting list, the last candidate is having 87 marks.

In view of the above factual position, the writ petition stands dismissed, as the petitioner has secured less marks than the last candidate.

The result has been returned back in original to learned State counsel in the Court today.

14.05.2019

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No