

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 24428 of 2018
Date of decision :19.03.2019

Kuldeep Singh

...Petitioner(s)

versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Charanjit Lal, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

Mr. A.K. Jindal, Advocate for respondents No. 3 to 5.

RITU BAHRI , J. (Oral)

The petitioner is participating for the post of TGT Science under the SC category. The final result has been declared on 17.10.2018. The last candidate under the SC category has secured 65 marks. The result of the petitioner has been produced in Court today and he has secured 76 marks in the written examination and 16 marks in viva voce. Total marks are 92 which are higher than the last selected candidate. As per the note of final result 321 posts under the SC category remain vacant due to non-availability of suitable candidates.

Written statement on behalf of respondents No. 3 to 5 filed in Court today is taken on record.

Learned counsel for the petitioner has referred to the details of the marks of the Bachelor of Education Examination which is dated 05.11.2015 (Annexure P-3). The petitioner had appeared for scrutiny of documents on 23.08.2018 and even on the date of scrutiny of documents as per the certificate (Annexure P-3), he was duly eligible. Vide order dated 25.09.2018, he was provisionally interviewed. The marksheet of the petitioner relates to July, 2015 examination (Annexure P-3) and the last date

of making application was 12.10.2015 and the detailed marksheet has been issued on 16.11.2015. This controversy has already been decided that the eligibility of the candidate has to be seen on the date of interview as per the judgment of *Haryana Staff Selection Commission V/s. Priyanka and others, LPA-362-2018* and the petitioner, in the present case, was eligible to hold this post even on the date of scrutiny of documents.

Keeping in view the higher marks obtained by the petitioner, this writ petition is being allowed and the respondents are directed to recommend the case of the petitioner for appointment under the SC category whereby 321 posts are vacant within a period of 15 days from the date of receipt of certified copy of this order to the Haryana Staff Selection Commission and appointment letter will be issued by the Haryana Staff Selection Commission within the next 15 days to the petitioner after verifying the documents of the petitioner. Result has been returned to learned counsel for the State.

Since the main writ petition has been disposed of, pending application, if any, also stands disposed of.

(RITU BAHRI)
JUDGE

19.03.2019

Divyanshi

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