

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

**CWP No. 4064-2018**

**Date of decision : 01.02.2019**

**Sandeep Narwal**

**...Petitioner**

**versus**

**State of Haryana and ors.**

**...Respondents**

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. Pankaj Bali, Advocate  
for the petitioner.

Mr. Gaurav Jindal, Addl. A.G. Haryana

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**RITU BAHRI, J. (Oral)**

The petitioner is seeking quashing of impugned list dated 12.02.2018 (P-15) to the extent that petitioner's name has wrongly been rejected and not called for interview.

This Court vide order dated 20.02.2018 passed the following order:-

*The petitioner competed for selection to the post of Heavy Vehicle Driver in the Outstanding Sports Persons (OSP) General Category. Although, he had uploaded his certificates on the website of the Commission, but owing to an accidental omission the necessary gradation certificate could not be uploaded. The petitioner purports to have cleared the written examination, driving test, and was even called for scrutiny of documents. And, it was at that stage, it was depicted that he had not furnished the gradation certificate. Resultantly, the petitioner obtained the said certificate and submitted to the Commission on 08.02.2018. However, in the list of short-listed candidates, called for interview, the name and roll number of the petitioner is not reflected. It is urged that the interviews are scheduled to take place from 25.02.2018 to*

*01.03.2018, and in the event the petitioner is not permitted to participate in the process, he shall suffer an incalculable loss.*

*Notice of motion.*

*Mr. Siddharth Sanwaria, DAG, Haryana, present in court, accepts notice on behalf of the respondents. Copies furnished.*

*Learned State counsel prays for a short accommodation.*

*Adjourned to 11.05.2018.*

*Written statement, if any, be filed a week prior to the next date of hearing with an advance copy to learned counsel for the petitioner.*

*Meanwhile, the respondents shall interview the petitioner provisionally, however, his result shall not be pronounced till further orders.”*

Today, 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 109 marks (98 in the written examination and 11 in the interview) and the last candidate has secured 78 marks. Hence, the petitioner has much higher marks than the last candidate in the OSP General Category.

The only stand taken by the respondents in the written statement is that at the time of scrutiny of documents, the petitioner was not having the gradation certificate and he did not attach the same, as per his application form (R-2/1) and thus he was rightly not interviewed. On the directions of this Court, the petitioner was interviewed on 01.03.2018 (R-2/2) and his result was kept in a sealed cover.

It is not in dispute that the petitioner was having the gradation certificate, which was issued to him on 08.02.2018 (P-14) by the Joint Director, Department of Sports and Youth Affairs, Haryana Panchkula i.e before the date of interview. Thus, the petitioner was duly eligible at the

time of interview.

In view of the above factual position, this petition is being allowed and a direction is issued to respondent-Commission to recommend the case of the petitioner to respondent No. 3 for appointment to the post of Heavy Vehicle Driver in the Outstanding Sports Persons (OSP) General Category, within a period of two weeks, subject to verification of certificate (P-14), who shall further issue appointment letter to the petitioner.

The result of the petitioner brought in the Court today in a sealed cover, has been returned back to learned State counsel.

01.02.2019

G Arora

**(RITU BAHRI)**  
**JUDGE**

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|----------------------------------|------------|
| <b>Whether speaking/reasoned</b> | <b>Yes</b> |
| <b>Whether reportable</b>        | <b>No</b>  |