

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

CWP No. 4905-2018

Date of decision : 20.02.2019

Surender Kumar

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Gourav Jain, Advocate
for the petitioner

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

RITU BAHRI, J. (Oral)

Petitioner is seeking issuance of writ in the nature of certiorari for setting aside impugned order dated 26.02.2018 (P-9) passed by respondent No. 2 vide which the candidature of the petitioner for post of Heavy Vehicle Driver against advertisement dated 18.05.2017 (P-1) has been rejected.

This Court on 28.02.2018 provisionally allowed the petitioner to appear in interview.

Today, learned State counsel has produced the result of the petitioner in a sealed cover, which has been opened by Reader of this Court. As per result, the petitioner has secured 112 marks in written examination and 20 in viva voice (total 132 marks) and the last candidate under EBPGC has secured 100 marks, as per final result dated 22.01.2019

Learned State counsel has argued that the petitioner does not have the requisite experience on 06.08.2017 and thus he was declared not

eligible at the time of scrutiny of documents on 07.12.2017 (P-5).

On the other hand, learned counsel for the petitioner has referred to experience certificate dated 15.07.2015 and 15.05.2017 (P-10 and P-11) issued by Matoriya Bus Service Regd which shows that the petitioner is having the requisite experience of 03 years of driving heavy transport vehicle.

Learned State counsel submits that experience certificate (P-11) is an afterthought.

It is not in dispute that the petitioner was interviewed on 01.03.2018 and in the application form of the petitioner (P-2), the petitioner has mentioned his experience as 04 years and 02 months from Matoriya Bus Service, Nohar Regd., as per Annexure P-10 and P-11 but inadvertently he could not submit his experience certificate i.e Annexure P-11. Annexure P-11 has been made part of the petition.

Thus now the petitioner cannot be made ineligible that he does not have the requisite experience.

In view of the above factual position, this petition is being allowed and order dated 26.02.2018 (P-9) is set aside. A direction is issued to respondent No. 2 to recommend the name of the petitioner for appointment to the post of Heavy Vehicle Driver under EBPGC category, within a period of fifteen days

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

20.02.2019

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No