

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CWP No.5353 of 2018 (O&M)

Date of Decision.15.10.2019

Kultaj Singh

...Petitioner

Vs

State of Haryana and another

...Respondents

Present: Mr. Sunil K. Nehra, Advocate
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

In pursuance to Advertisement No.7/2015 (Annexure P-1) for filling up posts of Station Supervisor, petitioner belonging to ESM General submitted application, passed the written test and called for interview. Since there were three (3) posts, candidates seven (7) in number were called but were not given any appointment letter.

Vide impugned notice dated 14.02.2018 (Annexure P-9), candidates belonging to dependent of ex-servicemen were called, which was against the terms and conditions of the advertisement, as no reasons have been assigned in not considering candidature of the petitioner nor any communication was given holding him to be ineligible.

In pursuance of notice of motion, State has filed reply and in paragraph 8 stated as under:-

“8. That it is significant to mention here that again the clarification dated 04.07.2018 Annexure R2/2 regarding experience for advertisement to the post of Station Supervisor was received from the Director, State Transport Department

Chandigarh wherein it is clarified in para 4 that ESM who have worked/gained experience in motor road transport on the post having supervisor nature of post shall be counted for the purpose under the rules.

Keeping in view of above said clarification dated 04.07.2018 the Commission shall conduct the scrutiny of documents of all the candidates afresh and will consider the eligibility of the candidates for the post in question. The case of petitioner will also be considered as per the clarification given by the indenting department.”

This fact has not been denied by Mr. Kiran Pal Singh, AAG, Haryana.

In view of what has been stated above, I am of the view that impugned notice (Annexure P-9) cannot be sustained, in view of the clarification sought by the Government. The impugned notice is set aside and the writ petition stands disposed of in terms of stand taken by the State Government.

(AMIT RAWAL)
JUDGE

October 15, 2019

Pankaj*

Whether speaking/reasoned Yes

Whether reportable No