

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-1396-2019 (O&M)
Date of decision: 21.01.2020

Pawan Kumar

...Petitioner(s)

V/s.

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

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

Mr. Hitesh Pandit, Addl.A.G., Haryana.

RITU BAHRI, J. (Oral).

CM-201-CWP-2020

Application for placing on record replication alongwith
Annexure P-11 is allowed and the same is taken on record.

CWP-1396-2019

The petitioner had participated in the selection process of PGT Mathematics under the EBPG category. He cleared the written examination and final result was declared on 12.01.2019 (Annexure P-7). As per final result, 23 posts are still lying vacant under the EBPG category and the last selected candidate had secured 70 marks. On 09.05.2019, the result of the petitioner was produced in Court and he had secured 90 marks in the written examination and 14 marks in viva voce. Total marks are 104. The result of the petitioner was not declared on the ground that he had certificate of M.A. Mathematics beyond the cut off date i.e. 24.09.2015.

Learned counsel for the petitioner refers to the certificate
issued by Sam Higginbottom University of Agriculture, Technology and

Sciences (Annexure P-10) in which it has been clarified that the petitioner cleared the MA examination on 24.08.2014. However his name from 'Pawan' to 'Pawan Kumar' was corrected on 19.10.2016 in the mark sheet on the application made by the petitioner. As per mark sheets (Annexures P-8 and P-9), he cleared the MA (Mathematics) in June 2014 which is well before the cut off date i.e. 24.09.2015.

The stand of the respondents is that as per Annexure R-2/2 annexed with the written statement of respondent No. 2, the date of issuance of marksheet is 19.10.2016 and this certificate had been made basis for considering the petitioner ineligible. However in attendance sheet for interview (Annexure R-2/1), he was considered eligible.

A perusal of certificates (Annexures P-8 and P-9) shows that name of the petitioner was mentioned as 'Pawan' having enrollment No. G-1125206738 which had been corrected to 'Pawan Kumar' on the application made by him and thereafter certificate with corrected name as 'Pawan Kumar' having enrollment No. G-1125206738 was issued on 19.10.2016 (Annexure R-2/2).

Since the petitioner possessed the qualification of MA (Mathematics) before the cut off date as per mark sheets (Annexures P-8 and P-9), and only the name was corrected on 19.10.2016, this writ petition is being allowed. Respondent No.2-Commission is directed to verify the documents of the petitioner, if need be, and recommend the name of the petitioner for appointment against 23 posts reserved for EBPG category within a month from the date of receipt of certified copy of this order. The petitioner will be given notional benefits and other consequential benefits in accordance with law.

(RITU BAHRI)
JUDGE

21.01.2020
Divyanshi

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