

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-7995-2020 (O&M)
Date of Decision:-11.6.2020

Vikash Singh ... Petitioner

Versus

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. C.R. Narwal, Advocate for the petitioner.

Mr. R.S. Dhull, Additional Advocate General, Haryana.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.(Oral)

1. The respondents had issued advertisement on 26.8.2018 for recruitment to various posts of Group-D. The petitioner, who was duly eligible, had applied for the same and had given his preference for the post of 'Beldar'. It is the case of the petitioner that he belongs to the reserved category of 'Scheduled Caste'.
2. The learned counsel for the petitioner has submitted that although he had applied in the reserved category but he obtained marks much more than 'General Category' candidates but somehow his case is not being considered by the respondents on the ground that his name has been incorrectly mentioned in the application form as 'Vikas Kumar' instead of 'Vikas Singh'

and also on the ground that he had made incorrect declaration to avail of the benefit of 'socio economic criteria' under unemployment category, which upon verification was found to be false as his father was employed in Government.

3. The learned counsel for the petitioner has submitted that the aforesaid mistakes in the name was on account of the fact that the application form was filled online wherein the error had occurred and infact even an error occurred in filling of the column regarding 'socio economic criteria' and that there was no intention on the part of the petitioner to misrepresent.
4. The learned counsel for the petitioner has further submitted that although he had furnished an affidavit dated 26.7.2019 (Annexure P-5) to the respondents but no action has been taken thereupon and that infact on an earlier occasion respondent No.3-Engineer-in-Chief, Irrigation and Water Resource Department, Sector-5, Panchkula (Haryana) vide letter dated 18.2.2019 (Annexure P-4) had written to respondent No.2-Secretary, Haryana Staff Selection Commission, Haryana, Sector-2, Panchkula seeking clarification in respect of the correction sought to be made, but no action has been taken thereupon.
5. Having heard the learned counsel for the petitioner, the petition is disposed of with a direction to respondent No.2-Secretary, Haryana Staff Selection Commission, Haryana, Sector-2, Panchkula to consider the case of the petitioner, in case any formal decision has not already been taken and to pass appropriate order while verifying as to whether it is a case of intentional misrepresentation of facts or as to whether it is an inadvertant error. The

respondents shall consider the case of the petitioner and pass final order within a period of one month from today.

11.6.2020
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No