

Joginder

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Jasbir Mor, Advocate for the petitioner

Mr. Narender S. Behgal, AAG Haryana

Sudhir Mittal, J. (Oral)

This case is regarding selection of Male Constable advertised vide Notice dated 16.04.2018.

The grievance of the petitioner is that the last selected candidate in General Category has secured 57.60 marks whereas the petitioner has secured total of 52.80 marks and has not been given the benefit of 5 marks awardable for no relative being in government employment. If these 5 marks are added, the petitioner would secure 57.80 marks and would be entitled to be selected.

Learned State counsel does not dispute that the last candidate has scored 57.60 marks but no explanation is forthcoming regarding denial of 5 marks to the petitioner on account of no close relative being in government employment. All that has been stated, is that a Committee is examining the issue in view of order passed by a Coordinate Bench in an identical matter.

In view of above facts, the denial of 5 marks to the petitioner appears to be arbitrary. He is entitled to 5 marks for close relative not being in government employment as per the terms of the advertisement and his total score would accordingly be increased to 57.80 marks. The result, thus, deserves to be modified.

The writ petition is, accordingly, allowed.

December 07, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No