

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

(1.)

CWP-10575-2019.  
Date of Decision:-27.11.2020.

Rajender Singh and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

(2.)

CWP-7932-2020 (O&M)

Parvinder Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

(3)

CWP-7933-2020

Kuldeep

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR**

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Present: Mr. Jasbir Mor, Advocate for the petitioner(s).

Ms. Upasna Dhawan, Assistant Advocate General, Haryana.

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**SANJAY KUMAR, J. (Oral):**

Grievances of the petitioners in these three writ petitions are on similar lines and they are thus amenable to disposal by this common order.

In CWP-10575-2019, the two petitioners were selected for appointment to Group 'D' posts reserved for Eligible Sports Persons (ESP) in general category against Advertisement No.4/2018 dated 25.08.2018. They claim that they hold valid Sports Gradation Certificates and assail the action of the authorities of the Agriculture Department, Haryana, in not permitting them to join duty. They also challenge the stand of the authorities that their Sports Gradation Certificates were not valid.

In CWP-7932-2020, the petitioner was also selected for appointment to a Group 'D' post on 19.01.2019 against the very same advertisement dated 25.08.2018. He seeks a direction to the authorities to consider his Sports Gradation Certificate dated 27.03.2017 as valid and sufficient for appointment to that post. He seeks a further direction to the authorities of the Animal Husbandry Department, Haryana, to allow him to join duty in the post of Animal Attendant at Panchkula, on account of his transfer from the office of the Director of Sports and Youth Affairs, Haryana, without insisting upon production of a relieving certificate, inasmuch as he never joined duty at the office of the Director of Sports and Youth Affairs, Haryana.

In CWP-7933-2020, the petitioner was also selected for appointment to a Group 'D' post (Peon-cum-Chowkidar) under the ESP

quota against the very same advertisement dated 25.08.2018. He seeks a direction to the authorities to issue him a Sports Gradation Certificate on account of his achievements in Athletics (200 mts. race) and on the basis of his Sports Certificate (Annexure P-4).

While so, it appears that issues relating to candidates in ESP category who had applied for appointment to Group 'D' posts, against Advertisement No.4/2018 dated 25.08.2018, fell for consideration before a Division Bench of this Court in ***LPA-1332-2019***, titled ***'State of Haryana and Another Vs. Shankar and Others'***, and batch, decided on 09.10.2020. In terms of this order, candidates who had applied for Group 'D' posts under ESP category and had been selected, pursuant to the advertisement dated 25.08.2018, were required to submit Sports Gradation Certificates duly issued in terms of the new policy dated 25.05.2018. The Division Bench clarified that the modified policy notified on 15.11.2018, would not be applicable to such candidates, as it was published after the date of the advertisement and that old certificates issued under instructions dated 30.11.1993 would not be valid for ascertaining eligibility of such candidates under the advertisement dated 25.08.2018. Such candidates were granted time to apply for issuance of fresh certificates in terms of the new policy notified on 25.05.2018 and the authorities were directed to decide/ascertain their claim for issuance of such certificates within one month thereafter.

In the light of the aforestated Division Bench order and the directions contained thereunder, the present writ petitions do not survive for independent consideration on merits.

At this stage, Mr. Jasbir Mor, learned counsel for all the petitioners, would also concede so and pray that the writ petitions may be disposed of on the same lines.

All the three writ petitions are accordingly disposed of permitting the petitioners to apply for fresh Sports Gradation Certificates in keeping with the policy dated 25.05.2018. The authorities concerned shall consider their claims for issuance of such certificates within one month. The petitioners shall thereupon produce the new certificates to validate their selection and appointment to Group 'D' posts under the advertisement dated 25.08.2018. If they do so, the petitioners shall be permitted to join duty in the posts that they were selected for and appointed to.

Insofar as the petitioner in CWP-7932-2020 is concerned, the authorities shall also examine as to whether insistence upon production of a relieving certificate is necessary at all, if the petitioner therein never joined duty in the other office. The decision taken in that regard shall be communicated to him within two weeks from the date of his producing the new Sports Gradation Certificate(s) in keeping with the policy dated 25.05.2018.

There shall be no order as to costs.

**(SANJAY KUMAR)**  
**JUDGE**

**November 27, 2020.**

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.