

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-10815-2020 (O&M)
Date of Decision: 29.07.2020

Dinesh Kumar Yadav

... Petitioner

VS.

State of Haryana & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Abhimanyu Singh, Advocate for the petitioner

Mr. Rajesh Gaur, Addl. AG Haryana

GIRISH AGNIHOTRI, J. (Oral)

The petitioner Dinesh Kumar has filed the present writ petition
inter alia praying for the following directions :-

- (i) to allow the petitioner to appear in the interview which is scheduled in between 28.07.2020 to 30.07.2020 in pursuance to **CWP-7678-2020 (Pinki Rani and Anr. vs. State of Haryana)** since this Court allowed the said petitioners to get scrutinized their documents and further respondent No.2 had allowed them to appear in the interview;
- (ii) to provisionally allow the petitioner for interview/viva voce in view of the fact that the petitioner had cleared the exam and had also appeared for scrutiny of documents and since he was not called for interview in the last list/notice dated 16.07.2020 (P4);
- (iii) to declare the proper and impartial detailed result of BCB category candidates who had appeared for written examination for the post of Staff Nurse;
- (iv) the petitioner be allowed for interview/viva vice and to keep one seat vacant, during the pendency of the writ petition.

At the outset, learned counsel for the petitioner relies upon the order passed by this Court on 10.07.2020 in CWP-7678-2020 (cited supra) (P3). He, therefore, submits that a direction be issued that petitioner's representation be decided for document verification by the competent authority in a time-bound frame.

Notice of motion.

On the asking, Mr. Rajesh Gaur, Addl. AG Haryana accepts notice on behalf of the respondents through video conferencing.

Learned State counsel submits that in case an opportunity is given to file reply, correct factual position would be placed on record.

However, on the other hand, learned counsel for the petitioner, submits that interviews for the post of Staff Nurse are scheduled from 28th to 30th July, 2020. He, therefore, prays that since only one working day i.e. 30.07.2020 is left, an interim direction be given to the respondents to provisionally interview the petitioner as well.

Having heard learned counsel for the parties, this writ petition is disposed of with the following directions:-

- (i) the competent authority/respondents may provisionally interview the petitioner for the post of Staff Nurse.
- (ii) the result of the petitioner be kept under a sealed cover and hand over the same to the competent authority who would pass further orders while deciding the representation of the petitioner for document verification.
- (iii) the representation dated 20.07.2020 (P5) submitted by the petitioner to respondent No.2 i.e. Secretary, Haryana Staff

Selection Commission be considered in same terms as in **Pinki Rani & Anr.** case within the period mentioned therein.

- (iv) It is further directed that whatever be the decision by respondent No.2 on the petitioner's representation (P5) regarding document verification, the same shall be conveyed to the petitioner and the competent authority deciding this representation is given liberty to open the sealed cover of the provisional interview of the petitioner.
- (v) It is further made clear that in case the petitioner's representation for document verification is accepted then the competent authority may proceed in accordance with law and grant petitioner the necessary relief based upon the provisional interview. If however, the representation is rejected, a reasoned order be passed.

Considering the fact that the interview is tomorrow, learned State counsel is requested to download the order and convey the same to the quarter concerned.

Let a **dasti** copy of this order be handed over to Mr. Rajesh Gaur, Addl. AG Haryana for information and necessary compliance.

29.07.2020
vishal shonkar

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No