

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

**CWP No. 14472 of 2020(O&M)
Date of Decision: 24.09.2020**

Suresh Kumar

..... Petitioner

versus

State of Haryana and another Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Sharan Sethi, Addl. AG, Haryana.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner is an ex-serviceman and claims to be suffering from a permanent disability assessed as 20%. He submitted an application form for the posts of Clerk advertised by the Haryana Staff Selection Commission against the Disabled ESM (General) category. Petitioner participated in the selection process comprising of a written test of multiple choice questions. The answer key was put up by the Commission in public domain.

Instant petition was filed raising a short grievance that in the result declared by the Commission the last selected candidate in the category for which the petitioner had applied has secured 35 marks whereas the petitioner upon tallying the OMR sheet with the answer key, he ought to have been granted 43 marks.

Instant petition had come up in preliminary hearing on 16.09.2020 and after noticing the contention raised by counsel for the petitioner notice of motion for today had been issued.

Mr.Sharan Sethi, learned Addl.Advocate General, Haryana had been requested to complete instructions in the meanwhile.

During the course of resumed hearing today learned State counsel has informed the Court that the documents/certificates relied upon by the petitioner to be considered under the Disabled ESM (General) category are not in order and as such he cannot be considered in such category. State counsel further informs the Court that the claim of the petitioner accordingly was considered under the general category wherein the cut off has been determined at 52 marks which the petitioner has not secured. State counsel further contends that the petitioner has been informed as regards the deficiency in documents/certificates as regards his claim against the Disabled ESM (General) category.

Controverted with such a situation counsel for the petitioner seeks withdrawal of the writ petition with liberty to file the petition afresh with better particulars and on all such grounds as may be available in accordance with law.

Disposed of as withdrawn with liberty as prayed for.

(TEJINDER SINGH DHINDSA)
JUDGE

24.09.2020
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No