

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Date of decision: 07.10.2020

(1) CWP-16388-2020

**Shiv Dayal and others**

**.....Petitioners.**

**vs.**

**State of Haryana and another**

**.....Respondents.**

(2) CWP-16398-2020

**Jai Parkash and another**

**.....Petitioners.**

**vs.**

**State of Haryana and another**

**.....Respondents.**

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

Present: - Ms. Gurmeet Kaur, Advocate, for the petitioners.

Mr. Rajesh Gaur, Additional Advocate General, Haryana and  
Mr. Minderjeet Yadav, Deputy Advocate General, Haryana.

.....

**Sanjay Kumar, J. (ORAL)**

The grievance of the petitioners in these two cases relates to the recruitment undertaken by the Haryana Staff Selection Commission to 4858 posts of Clerk (Group-C). This recruitment was undertaken under Advertisement No. 5/2019 and was for the benefit of various Departments, Boards and Corporations in the State of Haryana.

The petitioners, three in number, in CWP-16388-2020 belong to GEN (PWD) category and GEN (PWD) (HH) category respectively while the petitioners, two in number, in CWP-16398-2020 belong to ESM GEN Disabled category and GEN (EWS) category respectively.

The complaint of the petitioners is that the final result declared by the Commission on 03.09.2020 did not include them. According to them, they obtained more than the cut-off marks prescribed for their respective categories but despite the same, their candidature was ignored. The petitioners in CWP-16388-2020 submitted representation dated 13.09.2020 in this regard to the Commission while the petitioners in CWP-16398-2020 filed their representation on 30.09.2020, ventilating their grievance.

Be it noted that if the Commission had taken the care and trouble to indicate the cut-off marks applicable to each sub-category within every larger category, this litigation would not even have arisen. It is only due to the lack of clarity in this regard that candidates are left in the dark as to the exact merit position applicable to their respective categories and seek legal redressal.

In any event, as the Commission is yet to consider the representations made by the petitioners and communicate its decision thereon, this Court does not deem it necessary to entertain these writ petitions or adjudicate them on merits. It would suffice at this stage if the Commission is directed to look into the matter and address the petitioners' grievances.

The writ petitions are accordingly disposed of directing the Haryana Staff Selection Commission, the second respondent herein, to consider the petitioners' representations dated 13.09.2020 and 30.09.2020 respectively on their own merits and take an appropriate decision thereon. The decision taken shall be communicated to the petitioners with full particulars. This exercise shall be completed expeditiously and, in any event, not later than three weeks from the date of receipt of a copy of this order.

No order as to costs.

Copy of this order be placed on connected file.

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

07.10.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no