

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-17465-2016
Date of decision: 14.02.2020

Sunil

...Petitioner(s)

V/s.

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Parmod Parmar, Advocate
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

RITU BAHRI, J. (Oral).

By this petition, the petitioner is seeking setting aside the order dated 17.04.2015 (Annexure P-7) whereby his claim for appointment on the post of Driver in Haryana Roadways has been rejected.

The petitioner had participated for the post of Driver (Heavy Transport Vehicle) pursuant to advertisement dated 26.10.2012. He cleared the driving proficiency test but he was not called for interview. However pursuant to directions issued by this Court in CWP-20750-2013, he was provisionally interviewed. The grievance of the petitioner is that he was not selected.

On notice of this petition, written statement on behalf of respondents No. 1 to 3 has been filed. Learned counsel for the State while referring to written statement submits that as per the result, the petitioner has secured total 14.584 including 7 marks in viva-voce whereas the last selected candidate under the general category has secured 14.887 marks.

The marks secured by the petitioner are less than the cut off marks. As per

the criteria, he obtained 44.8% marks in matriculation examination. For educational qualification, he was awarded with 3.584 (44.8 X 8/100) out of 10 marks. In viva voce, he was awarded 7 marks and for experience he got 4 marks. The petitioner was issued experience certificate dated 15.06.2007 (Annexure P-1 colly) of Shaheed Bhagat Singh Public School, Dupedi (Karnal) where he was working as Driver since 01.06.2004. Therefore from 01.06.2004 to 15.06.2007, the period of experience comes out to 3 years only. However in the application form, his experience is shown from 04.06.2004 to 14.06.2012 and if the length of the experience certificate is taken into account, the petitioner would be able to get only two marks for experience purpose. The petitioner has been wrongly taking the date of licence w.e.f. 19.08.1994 which was the issue date of light vehicle licence, but for the post, the requisite was heavy transport vehicle licence. If taking this into account, no marks shall be allowed from 12.10.1998 to 11.10.2000 and thereafter from 12.10.2000 to 10.12.2012, the period comes out as 12 years and based on the criteria, he was awarded 04 marks. Hence, he was not selected being lower in merit. The written statement was filed on 26.03.2018 but no replication has been filed by the petitioner till date.

No merit.

Dismissed.

14.02.2020

Divyanshi

(RITU BAHRI)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No