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

CWP-20148-2020 (O&M)
Date of decision: 26.11.2020

Ajay Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Saurabh Arora, Advocate for the petitioner.

Mr. Samarth Sagar, Addl. A.G. Haryana.

ANIL KSHETARPAL, J. (ORAL)

Through this petition filed under Article 226/227 of the Constitution of India, the petitioner prays to set aside the appointment of Sandeep Singh-respondent No. 4 as a Shift Attendant with a direction to appoint him against the aforesaid post.

The petitioner claims that he as well as Sandeep Singh secured 102 marks in the recruitment test (written test and interview). He claims that since the petitioner is elder in age to Sandeep Singh, therefore, he has prior right.

Keeping in view the limited controversy involved, Sh. Samarth Sagar, Addl. A.G. Haryana was requested to take instructions.

In the post lunch session, Sh. Samarth Sagar, Addl. A.G. Haryana, after taking instructions from Mr. Dikansh, Legal Assistant, Haryana Staff Selection Committee, has informed the Court that Sandeep Singh had in fact secured 103 marks and not 102 marks. He further submits that Kuldeep Singh is the last candidate appointed as a Shift Attendant who had secured 102 marks, however, he is elder in age as compared to the writ petitioner. Kuldeep's date of birth is 03.03.1993 whereas the petitioner's date of birth is 08.03.1994.

Keeping in view the aforesaid facts, the writ petition is disposed of. However, liberty is granted to the petitioner to move an application for revival, if the facts are otherwise.

All the pending miscellaneous applications, if any, are disposed of, in view of the above-stated order.

26.11.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No