

Vishav Roop

.....Petitioner

versus

State of Haryana and Another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTALPresent: Mr. Rakesh Nagpal, Advocate
for the petitioner

Mr. Sanjay Mittal, Addl. A.G. Haryana

Sudhir Mittal, J. (Oral)

The grievance of the petitioner is that his candidature was wrongly considered in the handicapped category. He belongs to Scheduled Caste and is also a handicapped person and, thus, he should have been considered in the Scheduled Caste category. In the said category, the last selected candidate has scored 60 marks whereas the petitioner has scored 61 marks. Accordingly, he is entitled for appointment as a Class-IV employee pursuant to advertisement No.4/2018, category No.1.

Learned counsel for the petitioner has relied upon a judgment of this Court dated 21.01.2020 passed in CWP No.27795 of 2018 titled as **Ankush Kumar vs. State of Haryana and another** to submit that a candidate who is physically handicapped and belongs to Scheduled Caste category is required to be considered against Scheduled Caste category irrespective of the fact that he has applied against both categories.

Learned State counsel has not been able to rebut the contention raised on behalf of the petitioner.

With the assistance of learned counsel for the parties, I have gone through the judgment in Ankush Kumar (supra). The said judgment covers this case and the writ petition deserves to be allowed in terms thereof.

Ordered accordingly.

March 16, 2021

Poonam Negi

[SUDHIR MITTAL]
JUDGE**Whether speaking/reasoned : Yes/No****Whether Reportable : Yes/No**