

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP 4466 of 2021 (O&M)

Date of decision : 15.11.2021

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VikramPetitioner

vs.

State of Haryana and othersRespondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Sunil Kumar Nehra, Advocate for the petitioner.

Mr. B.R. Mahajan, Senior Advocate with
Mr. Hitesh Pandit, Advocate for respondents no. 1 and 2.

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H. S. Madaan, J. (Oral)

Petitioner – Vikram had applied for the post of Grid Sub Station Operator, under BCA category and had taken up the competitive examination, in which he had secured 116 marks. As per the waiting list of candidates, the last person mentioned therein had secured 117 marks. The grouse of the petitioner is that he was having experience of working as a contractual worker with Haryana Power Utilities, the total experience being 5 years and 1 month, he should have been awarded 2 more marks, i.e. 8 out of 8. In that way, taking his score to 118 marks, which facilitates his entry in the waiting list.

Though, on behalf of respondents, it has been contended that as per the experience certificate furnished by him, the petitioner had worked with TDS Management Consultant Pvt. Ltd, Mohali, from 1.4.2014 to 30.4.2014, meaning thereby for 30 days and his experience was taken as such counting the period as 30 days. But

learned counsel for the petitioner states that it was on account of typographical mistake and in the next column, total experience has been mentioned to be 1 year 1 month , which could have been very easily got verified by the Commission from the concerned officials of HVPNL or TDS Management Consultant Pvt. Ltd., Mohali.

I find force in the contention raised by learned counsel for the petitioner. The certificate is to be seen as a whole and not in parts. The total experience of petitioner in column No.2 is clearly mentioned as 1 year 1 month and if the Staff Selection Board had any doubt in the matter, necessary clarification could have been obtained and taking the period as such, the total experience of the petitioner is to be reckoned as 4 years instead of 3 years, making him entitled to grant of 8 marks, taking his numbers to 118.

Learned Senior counsel appearing for the respondents in all fairness has conceded this fact that he has actually worked for 1 year 1 month, as such entitled to 2 more marks.

Under the circumstances, the writ petition is disposed of with the observation that the total marks obtained by the petitioner be taken as 118 and if any candidate with lesser marks had been appointed against the post in question in the BCA category, then case of the petitioner be considered for appointment within a period of two months from today.

(H.S. Madaan)
Judge

15.11.2021
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Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No