

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

210/12

**CWP No.10075 of 2019 (O&M)
Decided on : 19.04.2021**

Sobit Kumar

... Petitioner

Versus

Haryana Staff Selection Commission, Panchkula

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: None for the petitioner.

Ms. Shruti Jain Goyal, DAG, Haryana.

(The proceedings have been conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Article 226 of the Constitution of India seeks consideration for appointment of Male Constable on account of the fact that the respondents have not granted 5 marks on account of socio-economic criteria as he is duly entitled to.

While issuing notice of motion, counsel for the petitioner has raised the contention that the last selected candidate under the BCB Category has secured 56.20 marks and the petitioner has secured 51.20 marks and had not been awarded marks in the socio-economic criteria.

Counsel for the State has submitted that in pursuance of the report of the Nodal Officer, the petitioner has not been granted the said benefit and has been found entitled for the 5 marks as nobody in the family of the petitioner is in Government job. An undertaking has also been given by the petitioner in this regard. Relevant portion of the reply filed by the State reads as under:-

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“7. That in this connection, it is stated that as per the report of re-examination of the documents submitted by the petitioner at the time of scrutiny, the petitioner is found to be entitled for five marks of socio-economic criteria (none in Govt. Job) on the basis of the undertaking attached by him (Annexure R-1/2). Whereas, re-scrutiny of all the candidates for the post in question is being conducted by the Commission and if the petitioner comes in the merit zone his case will be considered on merit accordingly.

In view of the above, the present writ petition is disposed of with the directions to the respondents to comply with their stand taken and consider the case of the petitioner for appointment to the said post by granting him the said benefit of 5 marks. The said exercise be done within a period of two months from the receipt of certified copy of this order. Needless to say that the said revision will take place across the board and appointments will be made on the basis of the merit, which is to be re-calculated accordingly.

Disposed of.

April 19, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No