

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

CWP-23937-2021

Date of decision: November 25, 2021

Pawan Kumar Garg

...Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Suvir Sidhu, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG Haryana.

(Presence marked through Video-Conference).

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of writ in the nature of Certiorari for quashing the list (Annexure P-3) *qua* the petitioner, vide which respondent No.2 has rejected the application forms of the candidates including the petitioner, for the post of President, District Consumer Disputes Redressal Commission.

2. Petitioner is stated to be practicing Advocate and aspirant for the post of President, District Consumer Disputes Redressal Commission *qua* which he has submitted his application along with requisite particulars. He claims that despite being eligible and having submitted requisite particulars, his application for the post of President, District Consumer Disputes Redressal Commission has been rejected.

3. On advance service, learned State counsel appears and opposes the petition.

4. Bare perusal of the reasons given for rejection of the candidature of the petitioner would reveal that he had attached his experience certificate for serving as Assistant Advocate General, Haryana from 06.12.2014 till 06.12.2019, which was found in order. And yet, his candidature has been rejected that he has not appended the proof of his enrolment with Bar Council, though enrolment No.P/218/1991 has been mentioned.

6. Needless to say, it is obvious that without being enrolled as an Advocate, one cannot be appointed as an Assistant Advocate General. Enrolment certificate seems to have been not submitted by sheer oversight on the presumption that once enrolment number has been given along with proof of petitioner having served as an Assistant Advocate General, Haryana, the same would suffice. Mistake seems to be *bonafide*. It would be rather too harsh on the petitioner to be held as disqualified on that ground.

7. In the premise, the respondents would allow the petitioner to be provisionally interviewed, subject to his furnishing the enrolment certificate within one week from today, failing which his candidature would be deemed to be rejected.

8. Disposed of, accordingly.

(ARUN MONGA)
JUDGE

November 25, 2021
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No