

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

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**LPA No.1854-2018 (O&M) with
LPA-1855, 1857, 1891 & 1902-2018 (O&M)
Decided on : 25.11.2021**

Haryana Staff Selection Commission

... Appellant

Versus

Manju Bala & others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE VIKAS SURI**

Present: Ms.Palika Monga, DAG, Haryana, for the appellant(s).

G.S. Sandhawalia, J. (Oral)

Exemption applications

Allowed, as prayed for.

Applications for condonation of delay

Applications for condonation of delay ranging from 18 to 88 days in filing the present appeals are allowed, in view of the averments made in the respective applications, duly supported by affidavit of the official. The delay in filing the appeals is hereby condoned.

CMs stand disposed of.

Main appeals

This judgment shall dispose of 5 appeals bearing LPA-1854, 1855, 1857, 1891 & 1902-2018.

Challenge in the present set of appeals is to the judgment passed by the Learned Single Judge dated 10.08.2018 and 12.09.2018.

In sum and substance, the Learned Single Judge had allowed the writ petitions by directing the appellant-Commission that the benefit

of the confidential result of the applicants, which had been declared before the last date of applying, be granted to them. The said exercise had not been done by the Commission on account of the fact that the main result had been declared after the cut-off date though the petitioners had produced the confidential result prior to the declaration of the result and before the cut-off date. Learned Single Judge had followed the judgment passed in CWP-27021 of 2016 titled *Priyanka & others Vs. State of Haryana & others*, decided on 23.10.2017.

On 28.11.2018 and 19.12.2018, it had been brought to the notice of this Court that the matter was before the Apex Court since the appeal against the order of the Learned Single judge bearing LPA-362-2018 titled *Haryana Staff Selection Commission Vs. Priyanka & others*, had been dismissed on 10.08.2018 and there was stay of the judgment of the Division Bench, at that point of time by the Apex Court. It is not disputed that now CA-5065-5095-2021 titled *Haryana Staff Selection Commission Vs. Priyanka & others*, has been disposed of upholding the principle that the benefit of the confidential result is to be granted to the candidates and therefore, the said portion of the order has been upheld.

The only modification which has been made by the Apex Court is to the directions, which had been issued by the Division Bench that the date of eligibility should be seen on the date of screening or interview, which portion had been quashed by the Apex Court with which we are not concerned in the present set of appeals. Relevant portion of the judgment of the Apex Court reads as under:

“The short question which was raised before the High Court and also before us is as to whether the provisional/confidential result declared by the Universities would be a validly declared result or not. The question has been considered by the High Court in detail and it has been held in favour of the candidates. In our view also, as long as the authenticity of the provisional/confidential result declared by the Universities is not in doubt, which in the present case has been confirmed by the Universities on the request made by the appellant/commission, the view taken by the High Court is perfectly justified. It cannot be said that the respondents were not qualified as on the cut off date, which was 12.10.2015, as the provisional/confidential result had been declared by the respective Universities in favour of the candidates prior to the said date and the applications were filed by the respondents well within time, along with such provisional/confidential result. As such, to this extent, we are not inclined to interfere with the order impugned in these appeals.”

Keeping in view the above, since the position stands settled by the Apex Court, no case is made out to interfere with the well reasoned judgment passed by the Learned Single Judge. Resultantly, the present appeals are dismissed in limine.

(G.S. SANDHAWALIA)
JUDGE

November 25, 2021
Sailesh

(VIKAS SURJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No