

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

323

CWP-2933-2019

Date of decision : 23.08.2022

Omesh Kumar

... Petitioner

Versus

Haryana Staff Selection Commission and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Himanshu Chhabra, Advocate for the petitioner.

Dr. Kapil Bansal, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner has sought a direction to the respondents to allow him to participate in the scrutiny of documents and to appear in the interview for the post of Shift Attendant scheduled for 01.02.2019 under BC-A category in response to the advertisement No.3/2016.

Learned counsel for the petitioner submits that the petitioner had applied for the post of Shift Attendant in BC-A category in pursuance to the advertisement issued by the respondents on 20.02.2016. The petitioner was successful in the written examination and was called for scrutiny of documents. He, however, could not appear before the scrutiny committee due to unavoidable circumstances.

A Coordinate Bench of this Court by order dated 01.02.2019 had directed the respondents/HSSC to scrutinize the documents of the petitioner and allow him to appear provisionally in the interview and the result of the petitioner be kept in a sealed cover. The result had been opened by this Court on 16.08.2022, which indicated that the petitioner had secured 94 marks which are more than the 92 marks obtained by the last selected candidate.

Learned counsel for the respondents contends that the petitioner had not appeared for scrutiny of documents on different dates although intimation was sent to him.

On the last date of hearing, learned counsel for the respondents had sought time to seek instructions as to whether any post of Shift Attendant was vacant so that the petitioner could be adjusted without disturbing any candidate who had been appointed.

Learned counsel for the respondents submits that two posts of Shift Attendants in BC-A category are lying vacant at Karnal and Ambala.

Heard.

The petitioner is a meritorious candidate in BC-A category. It would be in the interest of justice that the petitioner is adjusted as per his merit without disturbing successful candidates as the appointments are stated to have made in the year 2019. He has secured more marks than the last selected candidate in BCA category. There is no dispute that the petitioner has the requisite qualification of two years certification in ITI. The petitioner has been interviewed in pursuance to the order of this Court.

Consequently, the petition is allowed. The petitioner would be appointed as Shift Attendant on either of the two vacant posts. The petitioner will also be entitled to the notional benefits from the date other successful candidates had been appointed in pursuance to this advertisement No.03 of 2016.

(ANUPINDER SINGH GREWAL)
JUDGE

August 23, 2022

sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No