

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

**RA-LP-25-2020 (O & M) in
LPA-2132-2017**

Date of decision: 21.09.2022

Rajender Kumar

....Appellant(s)

Versus

State of Haryana and others

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Jagdish Manchanda, Advocate,
for the review-applicant/appellant.

Ms. Palika Monga, DAG, Haryana.

G.S.SANDHAWALIA, J. (Oral)

Review is sought of the order dated 13.01.2020 passed by the
the co-ordinate Bench.

It has been argued by the counsel that since the benefit of 'C'
certificate had been given, therefore, there was a presumption that the
applicant-appellant had a 'B' certificate for NCC examination.

We have perused the judgment which is sought to be reviewed
and the argument which is sought to be raised that if the appellant was
having a 'C' certificate and, therefore, there has to be a logical conclusion of
having a 'B' certificate as well and making him entitled for 1 more mark.

We have put it to counsel for the applicant-appellant that
whether it was his specific case before the learned Single Judge.

Very fairly, it has been conceded by the counsel that it has not
been pleaded in specific terms and, therefore, the learned Single Judge never
dealt with the said issue. Even otherwise, we find that the competent

authorities namely the NCC has not been impleaded as a respondent as such to verify this aspect that by having a 'C' certificate, it is implied that he was also entitled for the 'B' certificate for which he claims the marks. The order which is sought to be reviewed specifically noticed that at the time of the attendance, interview and production of documents, only the 'C' certificate had been produced, benefit of which had been given and the applicant had failed to make the cut.

In such circumstances, we are of the considered opinion that keeping in view the limited scope of the review application as such, the argument which is raised is not liable to be taken into consideration as the abovesaid order does not suffer from any illegality or infirmity which would warrant review. Even otherwise, we are of the considered opinion that the advertisement is of the year 2012 and a decade has gone by and at this stage, to seek reconsideration at the cost of respondent No.4, would be unfair since the claim of merit has been sought at the expense of respondent No.4.

Accordingly, no ground for review of the order dated 13.01.2020 is made out and the present review application is dismissed.

(G.S. SANDHAWALIA)
JUDGE

21.09.2022
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No