

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

109

RA-CW-72-2022 in CWP-9590-2021

Date of decision : 06.05.2022

Om Parkash

....Applicant-Petitioner

V/s

Central Administrative Tribunal, Chandigarh Bench and others

....Respondents

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

Present : Applicant-petitioner in person.

Mr. Hitesh Pandit, Additional Advocate General, Haryana.

Mr. Balwinder Sangwan, Advocate for respondent No.4

Ms. Alka Chatrath, Advocate for respondent No.5.

G.S. SANDHAWALIA, J. (ORAL)

Application has been filed for review of the order dated 09.02.2022 by the applicant-petitioner in person.

In sum and substance, the applicant is aggrieved against the entry made in the ACR on account of which, he did not get a positive recommendation for appointment and, thus, argument is sought to be raised regarding the adverse entry made in the ACR.

We are of the considered opinion that it is a separate cause of action to the applicant-petitioner, since the present petition arose out of the order dated 16.04.2021 passed by the Central Administrative Tribunal, Chandigarh Bench wherein the prayer of the applicant-petitioner was that his name was not being sent for the purpose of select list of 2019 for appointment to the five posts of IAS of Haryana Cadre from non-SCS category, after having qualified the test conducted by Haryana Public Service Commission. Thereafter, the applicant-petitioner had been permitted provisionally to be interviewed by respondent No.5 vide order

dated 22.12.2021 by this Court. The writ petition was thereafter disposed of as having been rendered infructuous on 09.02.2022, by noticing that the Selection Committee had found that the applicant-petitioner had not qualified on the basis of marks obtained in the interview and thus, did not qualify for appointment against vacancies of 2019 list.

The grouse of the applicant herein is with regard to the entry made in the ACR, which in our considered opinion is a separate cause of action. Even otherwise since the applicant is also an employee of the Haryana Government, the Tribunal as such would have no jurisdiction also over the said issue.

In view of above, the present review application is dismissed with liberty to the applicant to avail his alternative remedy in accordance with law.

(G.S. SANDHAWALIA)
JUDGE

(VIKAS SURI)
JUDGE

May 06, 2022
Ajay

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No