

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

CWP No. 12464-2022

DATE OF DECISION: 01.06.2022

Rajbir Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Jasbir Mor, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to issue Sports Gradation Certificate of Grade 'D' in terms of new Sports policy dated 25.05.2018 for his achievement in Kho-Kho for participation in 33rd Haryana State Boys School Tournament held at Sirsa and obtained first position (gold medal). Further prayer has been made not to cancel his candidature under ESP BCA category.

2. Respondent-Haryana Staff Selection Commission (hereinafter referred to as "the Commission") advertised various posts of Group 'D'. Petitioner submitted the application under ESP-BCA category and participated in the selection process but was not selected for the said post. A waiting list was prepared. The petitioner submitted another application along with an affidavit and verification report of Coach of Kho Kho. Organizing authority i.e. District Education Officer, Sirsa then verified that the record of said tournament is not available and claim of the petitioner could not be effectively ascertained. In the

premise, the District Sports Officer rejected the claim of the petitioner. Hence, the writ petition.

3. There are disputed question of facts involved herein. In the absence of the relevant record, as is borne out from the impugned order itself, dispute cannot be adjudicated under extraordinary writ jurisdiction.

4. No grounds are made out to interfere.

5. Instant writ petition is dismissed with liberty to the petitioner to seek alternative civil remedy, as may be available under law.

June 01, 2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No