

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

112

CWP-14293-2022

Date of decision : 08.07.2022

Amandeep

... Petitioner

Versus

Haryana Staff Selection Commission and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Varunveer Chauhan, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the order dated 01.07.2022 (Annexure P-6) whereby his services have been terminated.

Learned counsel for the petitioner submits that the petitioner had applied for the post of Clerk under Scheduled Caste category in pursuance to the advertisement issued on 20.06.2019. The petitioner was found successful and duly selected as Clerk but some unsuccessful candidates had preferred a writ petition bearing CWP No.15672 of 2021, titled as '*Amit Kumar and others versus State of Haryana and others*' alleging several discrepancies in the answer key. This Court vide order dated 25.04.2022 had directed the respondents to revise the selection after correcting errors in the answer key and issue show cause notices to those candidates who are sought to be displaced. After revision of the result, the petitioner has secured 58 marks while the last selected candidate in SC category has secured 63 marks. The petitioner has erroneously not been granted five marks under the socio-economic criteria even though his father had expired before he was 42 years of age. He further submits that in the event of the petitioner being awarded five marks under the

socio-economic criteria, he would get a total of 63 marks and the petitioner is elder in age than the last selected candidate in this category. The respondents, in pursuance to the directions of this Court in the case of *Amit Kumar and others versus State of Haryana and others* (supra), had issued a show cause notice to the petitioner on 25.06.2022 (Annexure P-2) to reply within a period of one week but before the petitioner could submit his reply within the stipulated period, his services have been terminated by the impugned order dated 01.07.2022 (Annexure P-6) which indicates arbitrariness and high handedness on the part of the respondents.

Issue notice to the respondents.

At the asking of the Court, Mr. Anant Kataria, DAG, Haryana, accepts notice on behalf of the respondents.

Heard.

It is apparent that before the petitioner could file his reply to the show cause notice within a period of one week which had been granted to him by the notice, his services have been terminated.

Consequently, the petition is allowed and the impugned order dated 01.07.2022 (Annexure P-6) qua the petitioner is set aside. However, the respondents would be at liberty to serve a fresh notice to the petitioner and the petitioner would submit his reply within ten days. The respondents after considering the reply would pass a speaking order in accordance with law.

(ANUPINDER SINGH GREWAL)
JUDGE

July 08, 2022
sonia gugnani

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