

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

CWP-14090-2022 (O&M)

Date of decision: September 19, 2022

Pardeep and others

....Petitioners

versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Neeraj Sheoran, Advocate for the petitioners.

Mr. Pankaj Middha, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

CM-14830-CWP-2022

For the reasons stated in the application, the same is allowed as prayed for.

CM-14833-CWP-2022

For the reasons stated in the application, the same is allowed. Additional Affidavit is taken on record, subject to all just exceptions.

Main case (O&M)

Petitioners herein, *inter alia*, seek issuance of a writ in the nature of Mandamus directing respondent No.2 to consider the candidature of the petitioners for the post of Clerk advertised vide Advt. No.05/2019, as per merit list after considering the Sports Gradation certificates as the same were issued on the basis of merit certificates pertaining for the events held prior to the date of advertisement.

2. Pledged case is that pursuant to Advertisement No.5/2019 dated 20.06.2019 (Annexure P-1), petitioners applied for the post of Clerk under Eligible Sports Person category. Final result was declared on 03.09.2020, which was quashed by this Court vide order dated 25.04.2022 directing respondent No.2 to re-evaluate the OMR sheets and for verification of documents. In compliance thereto, respondent No.2 carried out re-evaluation and declared final result dated 23.06.2022 (Annexure P-5). Roll numbers of the petitioners were not reflected in the revised final list despite their securing more marks than the last selected candidate in ESP-BCA and ESP-General Categories. Petitioners moved representation dated 27.06.2022 (Annexure P-6), but the same has not been adverted.

3. I have heard rival contentions of learned counsel for the parties and perused the record.

4. Concededly as per additional affidavit dated 16.09.2022 (filed by the petitioner pursuant to order dated 06.07.2022 passed by this Court), petitioners applied for the issuance of Gradation Certificates i.e. on 20.04.2021 after cut-off date as per the advertisement and therefore, no fault can be found with the issuing authority of having issued the same on 17.03.2022 i.e. after the cut-off date. All those candidates who had applied before the cut-off date and/or appended the sports gradation certificates before the cut-off date, have been accordingly given the benefit as per the advertisement. I do not see as to why the petitioners should steal a march over those candidates whose candidatures likewise have been rejected for not having either before the cut-off date had applied for or appended the sports gradation certificates before the cut-off date.

- 5. No grounds for interference are made out.
- 6. Dismissed.
- 7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

September 19, 2022
mahavir

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