

110.

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

CWP-14552-2022 (O&M)

Date of Decision: 20.07.2022

VIJAY

.... Petitioner

Versus

HARYANA STAFF SELECTION COMMISSION AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Lajpat Rai Sharma, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

CM-10284-2022

Application is allowed, as prayed for.

Copy of detail mark sheets of the petitioner, Annexure P-11, are
taken on record, subject to all just exceptions.

CWP-14552-2022

Petitioner herein is seeking a writ in the nature of Mandamus directing the respondents to give him the benefit of 4 marks under head of additional qualification, which benefit has been denied to him, for appointment to the post of Male Constable, under EWS category, advertised vide advertisement No.04/2020, dated 30.12.2020 (Annexure P-1).

Learned counsel for the petitioner would contend that the petitioner was denied the benefit of 4 marks on the ground that his degree was issued only after the cut off date of the advertisement. He would submit that the petitioner had cleared the final semester of graduation well before the cut-off date of the advertisement, however, the marks-sheet was made available to him on a subsequent date. It is submitted that the petitioner is entitled to additional marks for graduation, which has been denied to him. It is further submitted that at this stage, the petitioner would be satisfied in case the instant writ petition itself may be treated as a representation and a speaking order is passed thereon, in accordance with law, in a time bound manner.

Notice of motion.

At this stage, Ms. Kirti Singh, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision in the matter of the petitioner.

Let sufficient number of copies of the complete paper book be supplied to her during the course of day.

Without commenting on merits of the case, the instant petition is disposed of with a direction that the instant writ petition itself shall be treated as a representation and would be decided by the competent authority within a period of one month, from the date of receipt of certified copy of this order, in accordance with law, and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs

of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

It is made clear that in case the petitioner is found entitled to four additional marks, let the necessary recommendations be made without any delay, if he satisfies all other criteria.

(JAISHREE THAKUR)
JUDGE

20.07.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No