

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

CWP-12830-2018 (O&M)

Date of decision: November 10, 2022

Sandeep Kumar

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Vinay Kumar Arya, Advocate for
Mr. Sandeep Goyat, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing impugned notice dated 05.05.2018 (Annexure P-4/A) by which the candidature of the petitioner was rejected on the ground that their diploma of multipurpose health workers (male) passed from Health Services Family Welfare Department, Punjab is not from a recognized institution, and further declare that the petitioner is duly eligible for the post in question and his claim be considered for selection and appointments.

2. Similar controversy involved herein has already been adjudicated. Reference may be had to my earlier decision dated 05.09.2022 rendered in **CWP-11474-2018** titled **Baljeet Singh and others**, wherein it has been observed as under:

“4. *Apropos, learned State counsel submits that result of all the successful candidates, including unsuccessful petitioners before this Court, has been uploaded on the website. He has also tendered a comprehensive additional short reply dated 31.08.2022 on behalf of respondent No.3 in course of hearing,*

which is taken on record. Under instructions from Mr. Sandeep Manda, ADA and Mr. Jagdeep, Law Officer, Haryana Staff Selection Commission, he states that even if petitioners are held to be eligible for applying to the post in question, none of them have got more marks than the last selected candidates in the respective categories they have applied. Some of the learned counsel for the petitioners seriously controvert aforesaid statement of the learned state counsel. Per contra, they submit that despite having more marks than the last selected candidate in the category in which the petitioners had applied, they have not been given benefit thereof, ostensibly, on the ground of being ineligible.

5. Being so, it is considered appropriate that those of the petitioners, who claim that they have got more marks than the last selected candidates in the categories they have applied, provided, it is so as per result uploaded on the website, they are at liberty to approach the respondent-Commission with individual representations. The Commission shall then pass speaking orders giving reasons as to why; (a). they have been held ineligible and; (b). whether or not they actually secured more marks as claimed by them.

6. Needful be done within a period of 60 days of the representation(s) being filed by those of the petitioners, who may choose to do so. ”

3. Petition is disposed of in terms of **Baljeet Singh’s case (supra)**.
4. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

November 10, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No