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

CWP-24474-2017

Date of decision: 01.09.2022

KULWANT KUMAR

...Petitioner

VERSUS

STATE OF HARYANA AND ORS.

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sarabdeep Singh, Advocate for
Mohd. Yousaf, Advocate
for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed seeking issuance of a writ in the nature of certiorari for quashing order dated 03.08.2017 (Annexure P-4), whereby the plea of the petitioner for appointment as Constable has been denied and with a further prayer for issuance of a writ in the nature of mandamus directing respondent Nos.2 to 4 to appoint him as such.

In brief, the facts are that the petitioner herein, who had applied for the post of Male Constable (General Duty) under category No.1 pursuant to advertisement No.08/2015 dated 19.07.2015, underwent the physical test and was called for the interview. However, an appointment letter was not issued to him on the ground that he had concealed the information regarding conviction in a criminal case.

Learned counsel for the petitioner herein would contend that in fact, he had been released on probation under Section 12 of the Probation of Offenders Act, 1958 and, therefore, could not have been denied appointment.

Pursuant to notice of motion having been issued on 30.10.2017, learned State counsel would submit that the name of the petitioner has been recommended by the Haryana Staff Selection Commission to the Director General of Police, Sector-6, Haryana vide recommendation letter No.HSSC/Confid./Recomm./2017/635 dated 26.06.2017.

In view of the said information having been furnished to the Court and on the basis of letter addressed by the Secretary, Haryana Staff Selection Commission to the Advocate General, Haryana, the instant writ petition is disposed of by giving direction to the respondents that in case, the petitioner herein is found eligible in all other aspects and satisfies all other criteria, he be offered appointment with all consequential benefits of seniority from the date his batchmates were offered appointment.

01.09.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*