

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

CWP No.22484 of 2021 (O&M)

Date of Decision.11.07.2022

Rohit

...Petitioner

Vs

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ravinder Bangar, Advocate
for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

-.-

JAISHREE THAKUR J. (ORAL)

The instant writ petition has been filed seeking quashing of result dated 31.10.2021, Annexure P-17 qua the petitioner and revise the result by granting him benefit of additional 5 marks on account of petitioner being an orphan.

It is pleaded that the petitioner applied for the post of Sub Inspector (Male) against Advt. No.3/2021 dated 15.06.2021 and in pursuance of selection process thereto, had obtained 59.20 marks in the written examination. He was also awarded 5 marks on account of no family member having been in the government service and therefore, total marks allocated to him were 64.20. The petitioner would also be entitled to another additional 5 marks on account of being orphan under Miscellaneous (10% weightage) clause (a) (ii) (ii) of the advertisement dated 15.06.2021, Annexure P-1. It is claimed that in case the aforesaid additional 5 marks are awarded to the petitioner under the aforesaid clause, he would come into the zone of consideration for appointment as Sub Inspector (Male), as the last selected candidate has total marks of 66.60 whereas with the additional 5

marks on account of being orphan, the petitioner would have a total of 69.20 marks.

Learned counsel for the petitioner would argue that the petitioner was denied 5 additional marks on account of the fact that petitioner had not mentioned in the application form whether he was the first or second child or that his father had died before attaining age of 42 years or had not given the necessary information in correct pro forma. It is further argued that the petitioner herein had also applied for the post of Male Constable (General Duty) against Advertisement No.4/2020 in which the petitioner has been given the benefit of 5 marks on account of being an orphan and therefore, if 5 marks could be awarded to him by the Haryana Staff Selection Commission on account of being orphan in the selection process to the post of Constable, he would be entitled to the same benefit for the post of Sub Inspector as well.

Learned counsel for the respondent-State would submit that benefit of additional 5 marks to the petitioner had been denied on account of the fact that he did not upload the correct pro forma nor had he mentioned whether he was the first or second child as stipulated in the criteria published.

I have heard learned counsel for the parties and have perused the paper book and find that there is no ground for denial of five marks to the petitioner for being an orphan. It is admitted fact that the petitioner herein had applied for the post of Constable in the year 2020 and for the post of Sub Inspector in the year 2021. If the petitioner had been given the benefit of 5 additional marks on account of being orphan in the selection process that took place for the post of Constable, there is no justifiable

reason to deny him said marks for the subsequent post applied for. Consequently, the instant petition stands allowed. The Haryana Staff Selection Commission is directed to award petitioner 5 marks on account of being orphan and in case, he falls within the zone of consideration, his name be recommended for appointment to the post of Sub Inspector (Male) forthwith.

The misc. application CM-592-CWP-2022 is rendered infructuous and is accordingly disposed of.

(JAISHREE THAKUR)
JUDGE

July 11, 2022

Pankaj*

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