

**Sr. No.206 Ist case
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP-3864-2018 (O&M)
Date of decision: 22.02.2022**

Vishvajeet Singh ...Petitioner
Vs.
State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Aditya Yadav, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

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ARUN MONGA, J. (ORAL)

Petitioner herein, inter alia, seeks issuance of a writ in the nature of certiorari to quash an administrative order dated 09.02.2018 vide which his claim regarding change of category from BC-A to BC-B for the post of Heavy Vehicle Driver was rejected.

On 22.10.2019, when the matter was heard, following order was passed :-

Learned counsel for the State has produced detailed Marks obtained by the petitioners, in a sealed cover. The same has been opened and perused. Against cut off for the post of Heavy Vehicle Driver under BC-A and BC-B Categories as 104 and 114, respectively, petitioner Vishvajeet Singh secured 129 marks under BC-A Category, petitioner Rinku, 143 under BC-B Category and petitioner-Parmeet, 136 under BC-B Category. The petitioners, though filled up wrong category and placed on record, correct Caste Certificate, have cleared the test and secured higher marks than the cut off.

Learned counsel for the petitioners submits that there are 125 posts of Heavy Vehicle Drivers lying vacant and reply of the State did not disclose regarding ineligibility of the petitioners except that categories cannot be changed post last date for submission of application form, fixed in the advertisement.

Learned counsel for the State seeks more time to apprise this Court with regard to submissions of learned counsel for the petitioners, regarding availability of vacant posts.

Adjourned to 09.12.2019.

Learned counsel for the State is also directed to bring the result of petitioner in CWP-28316-2018, on the next date of hearing.

Photocopy of this order be placed on the file of connected case.”

In the aforesaid premise, writ petition is disposed of with an expectation that the respondents shall consider the candidature of the petitioner as per his performance/merit in the category originally chosen, subject to fulfillment of eligibility conditions and issue appointment letter in accordance with law, within 30 days from today.

(ARUN MONGA)
JUDGE

February 22, 2022
Vandana

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No