

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

**CWP No. 22734 of 2021
Date of decision: 17.05.2022**

Maneet

..... Petitioner.

Versus

State of Haryana and others

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Jagjeet Beniwal, Advocate,
for the petitioner.

Mr. Anant Kataria, DAG, Haryana,
for respondents No. 1 and 2.

Mr. B.R. Mahajan, Senior Advocate, with
Ms. Nikita Goel, Advocate,
for respondents No. 3 to 5.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking a direction to the respondents to prepare the merit list as per the gradation policy and to appoint him on the post of Shift Attendant.

Learned counsel for the petitioner contends that the petitioner is an Outstanding Sportsman in Khokho and has been categorized as 'B-2' by the Sports Department. He also submits that the petitioner being a sportsman with 'B-2' gradation should be preferred over other selected candidates in his category. He further submits that in the advertisement (Annexure P1) for selection to the Forest Department, the State Government had prepared a graded merit list in terms of the sports gradation and, therefore, the respondents ought to have followed a similar criteria.

Learned State counsel has filed reply on behalf of respondents No. 1 and 2 wherein it is stated that the petitioner had qualified and appeared for interview in pursuance to the advertisement issued by the respondents and had obtained an aggregate of 77 marks in Outstanding Sports Person (General Category). The last selected candidate in the category had secured 84 marks and the cut off for the waiting list is 78 marks. It is also stated that the final result had been declared on 08.03.2019.

Heard.

The petitioner is challenging the action of the respondents in preparing the merit list after 2½ years of the declaration of the final result. The result had been declared on 08.03.2019 while the instant petition had been preferred by the petitioner on 03.11.2021. The advertisement (Annexure P1) had been issued on 20.02.2016 wherein criteria for selection had been laid down. The petitioner had participated in the entire selection process and only after several years of the finalization of the result, he has challenged the criteria adopted by the respondents.

At this stage, learned counsel for the petitioner contends that the petitioner had earlier filed a petition in the year 2020, but the same was dismissed as withdrawn and, thereafter, he had preferred the instant petition.

The submission that the respondents ought to have prepared the merit list in the sports category on the basis of relative gradation is unsubstantiated and would not call for consideration after 2½ years of the finalization of the result. The petitioner has secured less marks than the marks obtained by the candidates, who have been selected and even those in the waiting list in the category have secured more marks than the petitioner.

Consequently, I do not find any merit in this petition, which stands dismissed.

17.05.2022
Ramesh

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No