

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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(1)

LPA No.1873 of 2018 (O&M)

Haryana Staff Selection Commission through its Secretary, Panchkula

....Appellant

VERSUS

Monika Tanwar and others

....Respondents

(2)

LPA No.1874 of 2018 (O&M)

Haryana Staff Selection Commission through its Secretary, Panchkula

....Appellant

VERSUS

Munni Devi and others

....Respondents

Date of Decision: March 08, 2022

**CORAM: HON'BLE MR. JUSTICE G. S. SANDHAWALIA
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Ms.Palika Monga, DAG, Haryana, for the appellant.

Mr.Amit Rao, Advocate, for
Mr.Anurag Goyal, Advocate
for respondent No.4 in LPA-1873-2018
& for respondent No.3 in LPA-1874-2018.

G.S. SANDHAWALIA, J(Oral).

The present appeals arise out of the judgment passed by the Learned Single Judge on 12.09.2018 in CWP-8828-2017 titled *Monika Tanwar & another Vs. State of Haryana & others* and CWP-8459-2017 titled *Munni Devi Vs. State of Haryana & others*. The Learned Single Judge disposed of the writ petitions in terms of the order passed in CWP-3137-2017 titled *Nidhi Vs. State of Haryana & others*, decided on the same date. It was noticed that the issue had been decided in CWP-27021-2017 titled *Priyanka & others Vs. State of Haryana & others* on 23.10.2017 and against the said judgment, LPA-362-2018 titled *Haryana Staff Selection Commission Vs. Priyanka & others* had been dismissed on 10.08.2018.

Resultantly, the petitioners were held eligible and the respondents were directed to consider their cases as per their confidential results and allow them to participate in the selection process and call them for interview by treating them eligible. The benefit of the confidential results of the petitioners which were declared before the last date of applying was to be granted to them, which was not done by the Commission on account of the fact that the same had been declared after the cut-off date though the petitioners had produced the confidential results prior to the declaration of the results and before the cut-off date.

It is not disputed that now **CA-5065-5095-2021** titled *Haryana Staff Selection Commission Vs. Priyanka & others*, has been disposed of upholding the principle that the benefit of the confidential result is to be granted to the candidates and therefore, the said portion of the order has been upheld.

The only modification which has been made by the Apex Court is to the directions, which had been issued by the Division Bench that the date of eligibility should be seen on the date of screening or interview, which portion had been quashed by the Apex Court with which we are not concerned in the present set of appeals. Relevant portion of the judgment of the Apex Court reads as under:

“The short question which was raised before the High Court and also before us is as to whether the provisional/confidential result declared by the Universities would be a validly declared result or not. The question has been considered by the High Court in detail and it has been held in favour of the candidates. In our view also, as long as the authenticity of the provisional/confidential result declared by the Universities is not in doubt, which in the present case has been confirmed by the Universities on the request made by the appellant/commission, the view taken by the High Court is perfectly justified. It cannot be said that the respondents were not qualified as on the cut off date, which was 12.10.2015, as the provisional/confidential result had been declared by the respective Universities in favour of the candidates prior to the

said date and the applications were filed by the respondents well within time, along with such provisional/confidential result. As such, to this extent, we are not inclined to interfere with the order impugned in these appeals.”

Keeping in view the above, since the position stands settled by the Apex Court, no case is made out to interfere with the well reasoned judgment passed by the Learned Single Judge. Resultantly, the present appeals are dismissed.

(G. S. SANDHAWALIA)
JUDGE

(VIKAS SURI)
JUDGE

March 08, 2022
sailesh

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