

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

CWP-28153-2022

Date of Decision:07.12.2022

Ishwer

.....Petitioner

Versus

Haryana Staff Selection Commission

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Ravinder Singh Dhull, Advocate
for the petitioner.

Mr. Saurabh Mohunta, D.A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for setting aside final result dated 14.11.2022 (Annexure P-6) and detailed result (Annexure P-7) for the post of Workshop Machinery Operator (Category No.23) to the extent of non-selection of the petitioner for the post under SC category.

2. My attention has been drawn to the eligibility conditions for the post of Workshop Machinery Operator (Category No.23) which, *inter alia*, envisages that persons applying should have ITI Certificate in Welder/Turner/Machinist Trade along with 2 years' experience in the relevant field.

3. Pleaded case of the petitioner is that he is fully eligible for the post of Workshop Machinery Operator as he had completed his apprenticeship training with the Hero MotoCorp Ltd. w.e.f. 04.05.2013 to 03.05.2015 and also worked as Temporary Workman from 08.04.2019 to 07.11.2019 with Maruti Suzuki and he had also been paid salary for the said period. Further there is no defect in his certificates.

3.1. Pursuant to advertisement No.01/2020 dated 12.02.2020 (Annexure P-1) published by respondent-Haryana Staff Selection Commission for various posts including the post of Workshop Machinery Operator, category No.23, petitioner applied for the same. His certificates are also genuine. Written examination was conducted and petitioner qualified it. Detailed final result (Annexure P-6) was declared by the respondent on 14.11.2022, but candidature of the petitioner was rejected because he was not having 2 years' experience as Workman . Hence, the present petition.

4. On advance service, the learned State counsel appears and submits that a decision will be taken by the competent authority, either way, on the pending representation of the petitioner by passing a speaking order.

5. At this stage, learned counsel for the petitioner also seeks decision on the pending representation (Annexure P-9), as suggested by learned Statecounsel.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the instant writ petition is disposed of with a direction to the respondents to look into the pending representation (Annexure P-9) of the petitioner and pass an administrative order, giving specific reasons thereof, in accordance with law.

8. Let the needful be done as expeditiously as possible but in any case not later than 6 weeks.

9. Till the decision on the representation is taken, one post in question in the category petitioner had applied, shall not be filled up.

10. Pending application(s), if any, also stand disposed of.

(ARUN MONGA)
JUDGE

December 07, 2022
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Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No