

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

**CWP-28003-2022 (O&M)
Date of Decision: 06.12.2022**

Sonu

.....Petitioner

Versus

Haryana Staff Selection Commission and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Bhupinder Malik, Advocate
for the petitioner.

Mr. Pankaj Middha, Addl.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 result dated 09.11.2022 (Annexure P-13) and subsequent detailed result dated 11.11.2022 (Annexure P-14) to the extent that petitioner has been shown as “Not Eligible” on ground of not having requisite work experience.

2. My attention has been drawn to the eligibility conditions for the post of Fitter Heavy Machine (Category No.20) which, *inter alia*, envisages that persons applying should have ITI Certificate in Fitter Trade along with 2 years experience in the relevant field.

3. Pledged case of the petitioner is that he is fully eligible for the said post as he had completed his apprenticeship training with the Haryana Roadways, Rohtak in the Trade of Fitter w.e.f. 15.04.2015 to 14.04.2017 and he had also been paid salary for the said period. Further there is no defect either in his ITI certificate or the Apprenticeship certificate.

3.1. Pursuant to advertisement No.1/2020 dated 12.02.2020 (Annexure P-9) published by respondent-Haryana Staff Selection Commission for various posts, petitioner applied for the post of Fitter Heavy Machine (category No.20). He is an ITI diploma holder. Written examination was conducted and petitioner qualified it. Detailed final result (Annexure P-14) was declared by respondent No.1 on 11.11.2022, but candidature of the petitioner was rejected on the ground that he was not having 2 years' experience as Fitter Heavy Machine. Hence, the present petition.

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

5. At this stage, learned counsel for the petitioner also seeks decision on the representation to be moved by the petitioner, as suggested by learned State counsel.

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 petitioner to move a representation regarding his grievance within a period of 2 weeks and the respondents shall look into the same 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 after filing of the representation by the petitioner.

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 06, 2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No