

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

**CWP-28332-2022**

**Date of Decision:08.12.2022**

Ravi Kumar

.....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.

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**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 17.11.2022 (Annexure P-14) and detailed result dated 18.11.2022 (Annexure P-15) for the post of Operator (Category No.27) to the extent of non-selection of the petitioner for the post under BCA category.

2. My attention has been drawn to the eligibility conditions for the post of Operator (Category No.27) which, *inter alia*, envisages that persons applying should have ITI Certificate in Mechanical Trade along with 5 years' experience in the relevant field.

3. Pleaded case of the petitioner is that he is fully eligible for the post of Operator, as he had completed his apprenticeship training with the Haryana Roadways, Kurukshetra w.e.f. 15.10.2011 to 14.04.2014 and also worked with Sood Motors, Pipli, Kurukshetra from 01.05.2014 to 30.04.2017 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.14/2019 dated 22.08.2019 (Annexure P-91) published by respondent-Haryana Staff Selection Commission for various posts including the post of Operator, category No.27, petitioner applied for the same. His certificates are also genuine. Written examination was conducted and petitioner qualified it. Detailed final result (Annexure P-15) was declared by the respondent on 18.11.2022, but candidature of the petitioner was rejected because he was not having 5 years' experience as Operator. 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 dated 24.11.2022 (Annexure P-16), 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-16) of the petitioner and pass an administrative order, giving specific reasons thereof, in accordance with law. It would be appropriate if the applicable service rules vis-à-vis Rule 7 of Haryana Irrigation Department, Circle Cadre, Workmen Establishment Group C Service Rules, 2011 are gone through before passing the administrative order.

- 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, shall also stand disposed of.

(ARUN MONGA)  
JUDGE

December 08, 2022  
*ashish*

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable :       | Yes/No |