

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(213)

CWP No. 2624 of 2019

Date of Decision : 03.08.2023

Vikash

...Petitioner

Versus

Haryana Staff Selection Commission

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikram Sheoran, Advocate for the petitioner.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed with a prayer that the respondent be directed to grant the petitioner the benefit of 05 marks under Socio Economic Criteria in respect of the Advertisement No. 4/2018 dated 26.08.2018 (Annexure P-1) while considering the claim of the petitioner for a Group-D post, the result of which was declared on 09.01.2019.

Learned counsel for the petitioner submits that keeping in view the reply filed by the respondent-Commission, the last candidate selection in the Category in which the petitioner is claiming appointment, was having 63 marks, whereas the petitioner's score comes to 62 but the candidates having marks upto 61 were put in the waiting list and the said waiting list has already been exhausted, hence, the petitioner becomes entitled for selection and consequent appointment as the candidates having lower merit have already been selected and appointed.

Learned counsel for the respondent submits that keeping in view the reply filed, it is not disputed that petitioner was having 62 marks and the last candidate in the waiting list has secured 61 marks but from the reply or from the averments made in the writ petition, it is not clear that anyone, who is less meritorious than the petitioner has been selected and appointed so far, hence, the department will consider the claim of the petitioner keeping in view the fact that he has secured 62 marks and in case, any candidate having lesser merit than the petitioner has been selected and appointed, appropriate order will be passed granting the said benefit to the petitioner and the said speaking order will be passed within a period of eight weeks of the receipt of copy of this order.

Learned counsel for the respondent submits that in order to smooth line the said process, it would be appreciated in case, the petitioner files a representation before the Commission raising the said grievance.

Learned counsel for the petitioner submits that appropriate representation will be filed within a period of 15 days from today.

Learned State counsel submits that speaking order will be passed within a period of eight weeks of the receipt of any such representation.

Writ petition is disposed of in above terms.

August 03, 2023
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No