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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7334-2019

Date of decision: 09.05.2023

ANIL KUMAR

...Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Varuna Singh, Advocate
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

1. The instant writ petition has been filed under Articles 226 and 227 of the Constitution of India, seeking issuance of a writ in the nature of certiorari for quashing final result dated 08.03.2019 (Annexure P-7) and subsequent appointment of the selected candidates and further to issue appointment letter to the petitioner herein for the post of Shift Attendant along with all consequential benefits.

2. In brief, the facts as stated are that the petitioner herein applied for the post of Shift Attendant pursuant to advertisement No.3/2016 dated 20.02.2016 (Annexure P-1). 2426 posts of Shift Attendant were advertised and essential qualification was clearly specified in the said advertisement. Being fully eligible, the petitioner applied for the said post under the General Category

and was issued an Admit Card. The petitioner undertook the written examination and was thereafter called for scrutiny of documents. The petitioner matched his OMR sheet with the relevant answer key and calculated his marks to be 110 out of 200 marks. Despite securing 110 marks in the written examination and performing well in the interview, the petitioner was not selected. The last selected candidate had secured 103 marks and the petitioner claiming that he had got 110 marks in the written examination would be entitled for appointment considering the fact that he had secured 24 marks in the interview. Aggrieved against the fact that appointment was not being offered to the petitioner, the instant writ petition has been filed.

3. The basic grouse of the petitioner herein is that he has performed well in the written examination and the interview and, therefore, ought to have been offered appointment on the post of Shift Attendant.

4. Pursuant to notice of motion having been issued, a short reply has been filed on behalf of Haryana Staff Selection Commission, wherein it has been stated that the petitioner was short listed for scrutiny of documents as he had the necessary marks. However, petitioner has obtained total 89 marks i.e. 78 marks in the written examination and 11 marks in the interview. The final cut off for the General Category was 103 marks and it is on this account that he was not selected.

5. On a previous occasion, learned counsel for the petitioner had sought time to get instructions. However, today she would submit that she is unable to contact the petitioner and nor the petitioner has contacted her.

6. I have heard learned counsel for the parties and have perused the pleadings of the case as well as the short reply filed on behalf of Haryana Staff Selection Commission.

7. Admittedly, the petitioner herein had applied to be appointed as Shift Attendant vide advertisement No.3/2016 dated 20.02.2016 (Annexure P-1) and undertook the written examination and was also called for scrutiny of documents and interview. He had obtained total 89 marks i.e. 78 marks in the written examination and 11 marks in the interview and the last selected candidate in the General Category had secured 103 marks and, therefore, not having the requisite marks, he could not be offered appointment.

8. Consequently, finding no merit in the instant writ petition, the same stands dismissed.

09.05.2023
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No