

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(105-3)

CWP-19673-2018

Date of decision : 28.02.2023

Vijender

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rajnish K. Gupta, Advocate for the petitioner.

Mr. R.K.S.Brar, Additional Advocate General, Haryana.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to consider the candidature of the petitioner for the post of Multipurpose Health Worker (Male), pursuant to advertisement No.1/2015 dated 19.06.2015.

Concededly, dispute is covered by judgment dated 05.09.2022 passed by this Court in CWP-11474-2018, whereby, a bunch of petition was decided with the following observations and directions:-

“4. Apropos, learned State counsel submits that result of all the successful candidates, including unsuccessful petitioners before this Court, has been uploaded on the website. He has also tendered a comprehensive additional short reply dated 31.08.2022 on

behalf of respondent No.3 in course of hearing, which is taken on record. Under instructions from Mr. Sandeep Manda, ADA and Mr. Jagdeep, Law Officer, Haryana Staff Selection Commission, he states that even if petitioners are held to be eligible for applying to the post in question, none of them have got more marks than the last selected candidates in the respective categories they have applied. Some of the learned counsel for the petitioners seriously controvert aforesaid statement of the learned state counsel. Per contra, they submit that despite having more marks than the last selected candidate in the category in which the petitioners had applied, they have not been given benefit thereof, ostensibly, on the ground of being ineligible.

5. *Being so, it is considered appropriate that those of the petitioners, who claim that they have got more marks than the last selected candidates in the categories they have applied, provided, it is so as per result uploaded on the website, they are at liberty to approach the respondent-Commission with individual representations. The Commission shall then pass speaking orders giving reasons as to why; (a). they have been held ineligible and; (b). whether or not they actually secured more marks as claimed by them.*

6. *Needful be done within a period of 60 days of the representation(s) being filed by those of the petitioners, who may choose to do so.*
7. *Disposed of, accordingly.”*

In case, the petitioner claims to have scored more marks than the last candidate in his category submits a representation with the HSSC within two months of this order, it shall be disposed of by passing a speaking order as directed by this Court in the above reproduced order.

Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

28.02.2023
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No