

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

228

CWP-28145-2017 (O&M)

Date of Decision: 15.03.2023

DINESH KUMAR

... Petitioner

Versus

HARYANA PUBLIC SERVICE COMMISSION

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Davinder Lubana, Advocate
for the petitioner.

Mr. Kanwal Goyal, Advocate and
Mr. Govind Tanwar, Advocate
for the respondent.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of a writ in the nature of Certiorari quashing the impugned order dated 24.11.2017 (Annexure P-6) passed by the respondent-department, vide which the candidature of the petitioner for the post of Assistant Professor (College Cadre) HES-II, was rejected.

Vide order dated 12.12.2017 passed by a Coordinate Bench of this Court, the respondents were directed to provisionally interview the petitioner.

On 03.08.2022, the result of the petitioner was produced in Court and the same was opened. As per the result, the petitioner fall under the zone of consideration.

Learned counsel for the petitioner submits that since the

petitioner fall under the zone of consideration, the respondent be directed to consider his case.

Learned counsel for the respondent has vehemently opposed the contentions raised by the learned counsel for the petitioner. He submits that though the petitioner fall under the zone of consideration, yet the fact remains that his candidature cannot be accepted as he does not possess the requisite qualification.

In support of his contentions, learned counsel for the respondent relies upon the judgment dated 07.11.2022 passed by a Coordinate Bench of this Court in CWP-2510-2017 titled as Surender Singh and others vs State of Haryana and others.

I have heard the learned counsel for the parties.

It is not disputed that on the direction passed by a Coordinate Bench of this Court, the petitioner was provisionally interviewed. It is also not disputed that the petitioner fall under the zone of consideration.

In view of the above, Secretary, Haryana Public Service Commission, Panchkula, is directed to consider the case of the petitioner for the post in question, within 8 week from the receipt of the certified copy of this order, as per law.

Disposed of.

15.03.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*