

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

107

CWP-5098-2018

Date of Decision :-07.11.2023

Jagjeet Singh**...Petitioner**

Versus

Haryana Staff Selection Commission**...Respondent****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Ramesh Malik, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that though, the petitioner cleared all the stages of the selection process required for being selected and appointed to the post of heavy vehicle driver but the claim of the petitioner was rejected by the respondent on frivolous ground that the driving licence of the petitioner does not mention that petitioner is authorized to drive heavy motor vehicle.

Learned counsel for the petitioner submits that the driving licence which was submitted by the petitioner, copy of which has been appended by the respondents themselves as Annexure R-1/3 clearly depicts that the said licence was issued by the Licencing Authority, Rohtak whereby, the petitioner has been authorized to drive heavy motor vehicle also but the signatures were put by the licencing authority in such a way, which made the endorsement qua authorization to drive heavy motor vehicle under the camouflage hence, the respondents are under an obligation to

reconsider the claim of the petitioner for selection and appointment to the post of heavy vehicle driver.

Learned State counsel on instructions of Mr. Sahil Sharma, Law Officer of HSSC, submits that the driving licence of the petitioner i.e. Annexure R-1/3 will be verified by the authority concerned and in case, it is found that the driving licence of the petitioner authorizes him to drive heavy motor vehicle, an appropriate speaking order will be passed qua the selection and appointment of the petitioner in case, any candidate lower in merit than the petitioner has been selected and appointed for the post in question.

At this stage, learned counsel for the petitioner submits that the petitioner has suffered a lot hence, he be given appointment from the date, the candidate lower in merit than him has been selected and he be appointed with all consequential benefits.

Learned State counsel submits that the said claim of the petitioner for his selection and appointment from the date the candidate lower in merit than him has been selected and appointed, will also be considered and decided by the authorities concerned while passing a speaking order on the claim of the petitioner for his selection and appointment to the post of heavy vehicle driver.

Learned counsel for the petitioner submits that keeping in view the statement made by the learned counsel for the respondent, present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

November 07, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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