

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

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**CWP-23660-2017 (O&M)
Date of decision: 23.01.2023**

Sachin Yadav

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jasbir Mor, Advocate and
Mr. Gourav Jangra, Advocate for
Mr. Partap Singh, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition is for issuance of a writ in the nature of certiorari for quashing the order dated 11.08.2017 (Anneuxre P-9) vide which the candidature of the petitioner for selection and appointment on the post of Junior Basic Training (JBT) Teacher in the Cadre of rest of Haryana except Mewat against advertisement No. 2/2012 dated 08.11.2012 (Category No.1) and notice/advertisement dated 15.11.2003 was cancelled and to direct the respondents to allow the petitioner to give samples of his signatures/thumb impression to the constituted Team and Officials of the State Crime Record Bureau, Madhuban (SCRB), District Karnal.

Learned State counsel has drawn the attention of this Court towards the short reply dated 25.11.2019 filed on behalf of respondent Nos. 1 and 2, wherein it has been stated that on perusal of the notice of motion issued by a Coordinate Bench, the case of the petitioner was considered and it was found that the petitioner had applied for the post of Primary Teacher under Rest of Haryana Cadre against advertisement No. 02/2012. Recommendation

of the petitioner was received from Haryana State Selection Commission on 04.08.2015 in the waiting list on Merit No. 8739-A, Roll No. 99922244. The petitioner was called for providing his thumb/signatures samples for Scientific verification on 25.04.2018 and after collecting the same were sent to SCRB, Madhuban lab for Scientific verification. However, as per the report received from SCRB, Madhuban, the thumb impression is found to be identical, but the respondents are not in a position to give the appointment letter to the petitioner as he is in the waiting list and his merit number is 8739-A, Roll No. 99922244.

At this stage, learned counsel for the petitioner submits that since the petitioner is in the waiting list and thumb impression is found to be identical, he prays to issue directions to the respondents that if the posts are available and the petitioner is found to be suitable according to his merit, the case of the petitioner be considered.

I have heard the learned counsel for the parties and have also gone through the case file.

Undisputedly the petitioner is in the waiting list and his thumb impression is also found to be identical, the prayer of the learned counsel for the petitioner is accepted.

In view of the above, the present petition is disposed of with a directions to the respondents that if the post, applied by the petitioner, is available, then the case of the petitioner be considered as per his merit in the waiting list, in accordance with law.

(HARNARESH SINGH GILL)
JUDGE

23.01.2023
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No