

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

CWP No. 2994 of 2024
Date of Decision : 12.02.2024

Sudesh

...Petitioner

Versus

Haryana Staff Selection Commission and another

...Respondents

(117)

CWP No. 3058 of 2024

Neevedita and others

...Petitioners

Versus

State of Haryana and others

...Respondents

(119)

CWP No. 3095 of 2024

Mukesh Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:

Mr. Anurag Goyal, Advocate for
Mr. Deepak Jaglan, Advocate and
Ms. Manu Sangwan, Advocate for the petitioner
in CWP-2994-2024.

Mr. G.S. Gopera, Advocate for the petitioners
in CWP-3058-2024.

Mr. Jasbir Mor, Advocate for the petitioner
in CWP-3095-2024.

Mr. Harish Nain, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. By this common order, three writ petitions, the details of which have been given in the heading, are being decided as all these petitions involve the same question of law on similar facts.

2. Present petitions have been filed for quashing the final result dated 05.02.2024 (Annexure P-14) to the extent that petitioners have not been selected in the final result despite securing higher marks than the last selected candidate in the category in which the petitioners are competing.

3. Learned counsel for the petitioners submits that keeping in view the answer keys, which have been issued by the respondents and the answers given by the petitioners while appearing in the written examination, the petitioners should have been given more marks and should have been within the zone of consideration for appointment, especially when the marks secured by the last selected candidate in the category in which the petitioners are competing is 49.75. Learned counsel for the petitioners submits that the OMR sheets of the petitioners have not been correctly evaluated by the respondents so as to give them their entitled marks, which has caused prejudice to the petitioners, hence, the respondents are under obligation to verify as to whether, the petitioners have been given correct marks keeping in view the answers given while attempting the written examination.

4. Notice of motion.

5. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

6. Learned counsel for the respondents submits that after the declaration of the result dated 05.02.2024 (Annexure P-14), certain representations have been received by the candidates stating that they have secured more marks than the last selected candidate in the respective categories but they have not been selected on the ground that due to a technical glitch, either they could not apply or upload all the required documents to prove eligibility and the State has already taken a decision on 10.02.2024 that the candidate, who possess qualification through a valid document issued to support the said claim of eligibility upto the last date of submission of application forms, will be treated as eligible for further participation in the selection process in case, the said candidate has secured more marks than the last candidate in the category in which he/she is competing keeping in view the result declared by the respondent-Commission.

7. Learned counsel for the respondents further submits that in case, petitioners are of the view that their OMR sheets have not been correctly evaluated as per the answer key and they are actually entitled for more marks than the last selected candidate in the category in which the petitioners are competing or that due to a glitch in the portal, any candidate could not apply but is having more marks than the last candidate, who has been allowed to compete further, they may file

representation raising the said claim before the authorities concerned and in case any such claim is raised before the authorities concerned including the claim under decision dated 10.02.2024, the same will be looked into and appropriate order will be passed within a period of 10 days of the receipt of any such claim or before date fixed for written examination for the relevant categories, whichever is earlier.

8. Learned counsel for the petitioners submit that the present petitions may kindly be disposed of having been not pressed any further at this stage, with liberty to the petitioners to raise the grievance by filing appropriate representation.

9. Ordered accordingly.

10. It is directed that in case, any of the post against which the petitioners are competing and is still lying vacant as of now, the same be kept vacant till the decision of their representation.

A photocopy of this order be placed on the file of connected cases.

February 12th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No