

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

(123) **CWP-4579-2024**
Decided on : 28.02.2024

Dinesh Kumar **..Petitioner**

Versus

State of Haryana and another ..Respondents

(127) **CWP-4614-2024**

Gagandeep **..Petitioner**

Versus

State of Haryana and others **..Respondents**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Ravinder Bangar, Advocate
for the petitioner in CWP-4579-2024.

Mr. S.S. Sahu, Advocate, and
Mr. Himanshu Seth, Advocate
for the petitioner in CWP-4614-2024.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. By this common order, two writ petitions, the details of which have been given in the heading, are being decided as both 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-6) to the extent that petitioners have not been selected in the final result despite securing higher marks than the last selected candidate in the respective categories 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. 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 further submits that in case, petitioners are of the view that 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.

7. At this stage, learned counsel for the petitioners submit that they have already filed representations dated 23.02.2024 (Annexure P-9) and 07.02.2024 (Annexure P-6) but the same are pending consideration with the Department, hence, the respondents be directed to decide their representations expeditiously.

8. Learned counsel for the respondents submits that in case the representation, as being claimed by the petitioners to have been submitted for the redressal of their grievance, in case have been received in the office of the concerned authority and is still pending consideration, the same will be disposed of as undertaken hereinbefore.

9. Learned counsel for the petitioners submits that keeping in view the said statement of learned State counsel, the present petitions may kindly be disposed of as having been not pressed any further.

10. Ordered accordingly.

11. A photocopy of the order be placed on the file of other connected case.

28.02.2024

harsha

Whether speaking/reasoned:

Whether Reportable:

Yes/No

Yes/No

**(HARSIMRAN SINGH SETHI)
JUDGE**