

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-7526-2023  
Date of Decision: 06.02.2024

GAJJAN SINGH

---PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

--- RESPONDENTS

CWP-2973-2023

LALIT KUMAR AHUJA

---PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

--- RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr. Ritesh Pandey, Advocate  
for the petitioner in CWP-7526-2023

Mr.Vinod Bhardwaj, Advocate and  
Mr. Nipun Bhardwaj, Advocate  
for the petitioner in CWP-2973-2023.

Mr. Aman Dhir, DAG, Punjab.

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**JAGMOHAN BANSAL, J. (Oral)**

1. By this common order CWP-7526-2023 and CWP-2973-2023  
are disposed of as issue involved in both the petitions is common. For the  
sake of convenience, the facts are borrowed from CWP-7526-2023.

2,           The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 19.01.2023 (Annexure P-7).

3.           It is apt to mention here that petitioner in CWP-7526-2023 has applied for the post of AFO and petitioner in CWP-2973-2023 has applied for the post of Financial Officer.

4.           The petitioner pursuant to advertisement No.2 dated 17.08.2021 applied for the post of Assistant Financial Officer. He belongs to PwD category and accordingly, he applied under the said category. There were 02 seats for the said category.

5.           The respondent initially rejected claim of the petitioner on the ground that domain experts have rejected experience of the petitioner and on re-consideration rejected on the ground that the petitioner has failed to secure cut off marks.

6.           Mr. Pandey, counsel for the petitioner submits that there were two seats meant for PwD and no candidate has been selected. The rejection order was passed on the ground of experience whereas 2<sup>nd</sup> order was passed on the ground of cut off. No candidate was selected in the category of PwD, thus, there was no question of cut off.

7.           Learned State counsel submits that it is factually correct that no candidate under the PwD category has been selected, thus, there was no cut off. He does not dispute the fact that first rejection order was based upon experience and 2<sup>nd</sup> is based upon cut off. Though there was no cut off under PwD category.

8. On being confronted with contradiction in the rejection orders and the fact that both seats are lying vacant, learned State counsel concedes that the recruitment board would re-consider case of the petitioner(s) and pass an appropriate order within four weeks from today.

06.02.2024  
*anju*

(JAGMOHAN BANSAL)  
JUDGE

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| <i>Whether speaking/reasoned</i> | <i>Yes</i> |
| <i>Whether reportable</i>        | <i>No</i>  |