

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

110+112

Decided on :19.04.2024

110-

CWP-8561-2024 (O&M)

2024:PHHC:052493

PUNEET KUMAR

.PETITIONER

Versus

STATE OF HARYANA AND ORS

... RESPONDENTS

112-

CWP-8565-2024 (O&M)

2024:PHHC:052499

RAO PANKAJ

.PETITIONER

Versus

STATE OF HARYANA AND ORS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Rajat Mor, Advocate for the petitioners
in both cases.

Mr. Harish Nain, AAG, Haryana.

Mr. Kanwal Goyal, Advocate and
Ms. Sheena Dahiya, Advocate for respondent No. 2
in both cases.

HARSIMRAN SINGH SETHI , J. (Oral)

1. By this common order, both the above mentioned writ petitions are being disposed of as both the writ petitions involve the same question of

law on similar facts.

2. In the present writ petitions, the challenge is to the order dated 28.02.2024 (Annexure P-9) by which, the claim of the petitioners to claim eligibility to compete for the post of Deputy Director of Agriculture and equivalent (Administrative Cadre) Group A as advertised by the respondents vide Advertisement No. 13 of 2023 dated 18.02.2023 (Annexure P-1), has been rejected.

3. Learned counsel for the petitioners submits that despite the fact that the petitioners have shown their eligibility for the post in question, the claim of the petitioners has been rejected by the respondents on the ground that the experience which the petitioners have in their credit either does not fulfill the criteria of Agriculture Research or Extension or the same is less than five years.

4. Notice of motion.

5. Mr. Kanwal Goyal, Advocate, has put in appearance on behalf of respondent No. 2-Commission and submits that the question of law as raised in the present petition has already been dealt with by this Court while passing order in CWP-8210-2024 titled as **Rahul Hans and another v. State of Haryana and others, decided on 15.04.2024**. The said writ petition was filed by the similarly situated candidates and keeping in view the statement of the respondents-Commission that the claim of all the candidates have been decided keeping in view the advise/recommendation given by the experts, this Court has passed a detailed order dismissing the said writ petition. Learned counsel for the respondents-commission further submits that the question of law, raised in the present petition is covered by the said judgment passed in **Rahul Hans' s case (Supra)**.

6. Learned counsel for the petitioners has not been able to dispute the fact that the grievance raised in the present petition is akin to one raised in **Rahul Hans' s case (Supra)**.

7. At this stage, learned counsel for the petitioners submits that the contrary stands have been taken by the respondents-commission while passing order as the experience while working on the post of Senior Technical Assistance in Chaudhary Charan Singh Haryana Agricultural University has been accepted in one case whereas, the same has been rejected in other case.

8. Upon this, learned counsel for the respondents-Commission submits that he has a specific instructions from Ms. Anju, Assistant, HPSC that the same was inadvertent and the experience of the petitioners in CWP No.8561 of 2024 qua the post of Technical Assistant in the Chaudhary Charan Singh Haryana Agricultural University has been treated to be valid experience but as the same is of less than 5 years which is the requirement of advertisement dated 18.02.2023 (Annexure P-1) , the said petitioner has been declared as ineligible for the post in question having experience which is less than.

9. Keeping in view the said explanation given by the learned counsel for the respondents-Commission recorded herein above, the grievance being raised by the petitioners that contradictory decisions have been taken by the respondents-Commission stands clarified and the same does not need any interference at the hands of this Court.

10. *Keeping in view the above and the reasons given in **Rahul Hans' s case (Supra)**, the present petition is also dismissed in the same terms and conditions as passed in **Rahul Hans' s case (Supra)**.*

11. Pending civil miscellaneous application, if any, stands disposed of.
12. A photocopy of this order be placed on the files of connected cases.

(HARSIMRAN SINGH SETHI)
JUDGE

19.04.2024

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No