



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

264 CWP-16207-2022(O&M)
DATE OF DECISION: 28.05.2024

AjayPetitioner

VERSUS

State of Haryana and othersRespondents

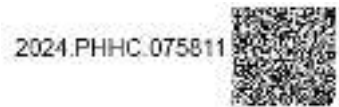
CORAM HON’BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present Mr.Gaurav Datta, Advocate,
with Mr. Vaibhav Bhargav, Advocate,
for the petitioner.

Mr.Tapan Kumar Yadav, DAG, Haryana.

HARSIMRAN SINGH SETHI, J (ORAL)

1. Learned counsel for the petitioner submits that though the petitioner had applied in the category of Economically Weaker Section but, the proforma under which the Economically Weaker Section Certificate was submitted by the petitioner related to the jobs and admission under the Govt. of India, which certificate should have been considered by the authority concerned and the petitioner should have been considered for the post in question.
2. Learned State counsel submits that the said question of law has already been considered by this Court while passing order in **CWP No.14063 of 2022 titled Rahul Boora versus State of Haryana and others, decided on 07.10.2023**, wherein it has been held that in case, any certificate under the Economically Weaker Section, which has been submitted in the proforma relating to the jobs under Govt. of India, the same is not admissible and hence, the present petition is liable to be dismissed keeping in view the judgment of **Rahul Boora’s case (supra)**.



3. Learned counsel for the petitioner, on the other hand, submits that the said judgment is already pending in appeal vide LPA No. 1773 of 2023 titled **Rahul Boora versus State of Haryana and others.**

4. I have heard the learned counsel for the parties and have gone through the record with their able assistance.

5. Once, this issue raised in the present petition has already been answered by this Court while passing order in **Rahul Boora’s case (supra)**, the court has to stick to the same view, unless and until the said view is not set aside by the competent Court of law. Though, the appeal against the said judgment is pending but, the operation of the judgment in **Rahul Boora’s case (supra)** has not been stayed and hence, the present petition is also dismissed in same terms as **Rahul Boora’s case (supra).**

28.05.2024
mamta

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No