

223

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23682-2018
Date of decision: 08.04.2024

SAURABH GOEL

...Petitioner

VERSUS

STATE OF HARYANA AND ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Sukhdeep Singh, Advocate for
Mr. Parminder Singh, Advocate for the petitioner.

Mr. Narinder Singh Behgal, AAG, Haryana.

Mr. Kanwal Goyal, Advocate for the respondent-HPSC.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing advertisement No.3(4) of 2017 dated 07.12.2017 (Annexure P-3), by which recruitment of 7 posts of Executive Engineer has been advertised and the equivalent designation of the post as Municipal Engineer has been withheld and five years experience of Sub-Divisional Engineer/Assistant Engineer has been sought and order dated 01.08.2018 (Annexure P-7), whereby the candidature of the petitioner has been rejected to the post of Executive Engineer on the ground of non-possession of experience i.e. SDE/AE (Civil).

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner applied for the post of Executive Engineer (Civil) but his

candidature was rejected on the ground of non-fulfilling of the requisite qualifications. He further submitted that vide order dated 17.09.2018, this Court had also directed that in the meantime, the petitioner shall be allowed for interview provisionally and his result be kept in the sealed cover. He further submitted that thereafter, the petitioner appeared for the interview and he was interviewed and his result was kept in the sealed cover.

3. Today, learned counsel for the respondent-HPSC has brought the result of the petitioner in the sealed cover, which has been opened in the Court and the same is taken on record as *Mark-‘X’*. The aforesaid result of the petitioner is reproduced as under:-

Subject: For the post of Executive Engineer (Civil) in Urban Local Bodies Department, Haryana.

Result in respect of Saurabh, Petitioner in CWP No.23682/2018.

<i>Sr. No.</i>	<i>Roll No</i>	<i>Category</i>	<i>Candidates Name</i>	<i>Marks Awarded- Personal Achievement Out of 87.50 marks</i>	<i>Marks Awarded- Interview Out of 12.50 marks</i>	<i>Total Marks Personal Achievement & Interview (Total Marks 100) (1+2)</i>
<i>Columns</i>				<i>-1-</i>	<i>-2-</i>	<i>-3-</i>
<i>1.</i>	<i>177</i>	<i>General</i>	<i>Saurabh</i>	<i>47.00</i>	<i>3.00</i>	<i>50.00</i>

Final cut off of last recommended candidate in General Category is: 52.00

*Deputy Secretary
Haryana Public Service Commission
Panchkula*

4. Learned counsel for the respondent-HPSC submitted that the petitioner was interviewed and he has obtained total 50 marks, whereas the final cut off of the last recommended candidate in General category was 52 marks and therefore, the petitioner could not have been selected and the issue with

regard to as to whether he was holding the requisite qualifications or not would not survive in the light of the result itself.

5. In view of the aforesaid facts and circumstances, nothing would survive in the present writ petition and the same is hereby dismissed.

08.04.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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