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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-35357-2019 (O&M)

Date of Decision: 31.01.2024

Hariom

....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Manoj K. Tanwar, Advocate, for the petitioner.

Ms. Dimple Jain, DAG, Haryana.

Ms. Nikita Goel, Advocate, for respondent No.3.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *Certiorari* for quashing the impugned result dated 12.08.2018 (Annexure P-7).

2. Learned counsel appearing on behalf of the petitioner submitted that he had applied for the post of Grid Sub Station Operator (Category No.5) under General Category and according to the respondents, he had obtained 122 marks. He submitted that his experience as Sub Station Attendant was not taken into account and had it been taken into account, then additional 14 marks would have been granted to him on account of experience and in this way the total marks obtained would come out to be 136 whereas the last selected candidate who was selected under the General

Category had secured 133 marks. He submitted that it was because of the arbitrary action on the part of the respondents that he was not granted the benefit of experience of 14 marks only on the ground that as per the qualification, he ought to have worked as GSSO i.e. Grid Sub Station Operator in any of the power utility but the experience certificate of the petitioner which has been attached alongwith the reply filed by the respondents shows that he had served to the post of SSA. He submitted that the post of SSA was rather equated with that of GSSO and there is no reason as to why the marks for the experience certificate were not given to the petitioner.

3. Learned counsel further submitted that even otherwise also a similar issue arose with regard to the same selection process before a Co-ordinate Bench of this Court in *CWP No.21254 of 2018, titled 'Rajender Kumar vs. State of Haryana and others'* and *CWP No.26291 of 2018, titled 'Atma Ram vs. State of Haryana and others'* which have been allowed by a Co-ordinate Bench of this Court on 21.02.2023 and the issue involved in the present case was categorically discussed wherein equivalence has been given to SSA at par with that of GSSO. He submitted that the case of the present petitioner is squarely covered by the aforesaid judgment which has attained finality and also submitted that rather the direction issued in the aforesaid judgment has already been complied with by the respondents and therefore, this petition may also be allowed in the same terms.

4. On the other hand, Ms. Dimple Jain, learned DAG, Haryana appearing on behalf of respondents No.1 & 2 as well as Ms. Nikita Goel, learned counsel appearing on behalf of respondent No.3 have also stated on instructions that the prayer of the petitioner is squarely covered by that of

the aforesaid judgment in the case of *Rajender Kumar vs. State of Haryana and others (Supra)* and *Atma Ram vs. State of Haryana and others (Supra)*.

Learned counsel for respondent No.3 has also stated that the experience certificate of the petitioner which has been attached alongwith the reply as Annexure R-2/1 has also been verified to be a correct certificate and therefore, the case of petitioner is squarely covered by the aforesaid judgment.

5. In view of the aforesaid factual position whereby as per all the learned counsels for the parties, the prayer of the petitioner is squarely covered by the aforesaid judgment in the case of *Rajender Kumar vs. State of Haryana and others (Supra)* and *Atma Ram vs. State of Haryana and others (Supra)*, the present petition also deserves to succeed. Consequently, the present petition is allowed in the same terms as that of *Rajender Kumar vs. State of Haryana and others (Supra)* and *Atma Ram vs. State of Haryana and others (Supra)*.

31.01.2024

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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