



**210-7 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-3409-2021

Date of Decision: 12.09.2025

Vikash and Others

...Petitioners

Versus

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Aditya Yadav, Advocate
for the petitioners.

Mr. Suneel Ranga, DAG, Haryana.

JAGMOHAN BANSAL, J. (ORAL)

1. Learned counsel representing the petitioners submits that case of petitioners is squarely covered by order dated 15.11.2021 passed by a Division Bench of this Court in '*State of Haryana Vs. Anju Bala*', *LPA No.26 of 2021 (O&M)*.

2. Mr. Suneel Ranga, DAG, Haryana submits that writ petition of Anju Bala was decided on 29.10.2020 whereas petitioner approached this Court on 03.02.2021. He could seek tagging of his petition with pending LPA. He is not entitled to benefit of judgment of this Court in *Anju Bala (Supra)*.

3. This Court vide order dated 01.08.2025 passed in bunch of petitions including *CWP-25047-2021* titled as '*Sanoj Kumar and Others Versus State of Haryana and Others*' has declined benefit of Anju Bala to those petitioners who approached this Court after adjudication of LPA of Anju Bala. The petitioners herein approached this Court prior to

adjudication of aforesaid LPA. The relevant extracts of order dated 15.11.2021 passed in **Anju Bala (Supra)** read as:

“9. Thus, from the above sequence of events it would be clear that the criteria as such for the additional marks which were to be given for the general test as per the amended rule and which can go up to 10 marks was denied to the dis-advantage of the petitioners. If this benefit was not to be granted, the criteria should have been fixed at the time when the process as such was initiated on 28.05.2018. Therefore, for the reasons above, this Court is of the opinion that the writ petitioners were justified for agitating their claim.

10. Counsel for the State has, however, contended that the said benefit as such be restricted only to the writ petitioners as it would open a Pandora's Box regarding similarly situated persons who had chosen not to approach this Court, though a period of 2 years has gone by.

11. Keeping in view the above, the present appeals are disposed of by holding that the benefit as such would apply to the writ petitioners only who were successful as such and had agitated for their claim at the initial point of time and had not been fence sitters as has been held in 'State of Uttar Pradesh & others Vs. Arvind Kumar Srivastava & others' 2015 (1) SCC 347. The instructions which were issued, however, cannot be faulted with since they are to fill in the gaps in the statutory rules. They only laid down as to which of the tests could be recognized for the purpose of granting benefits as per the statutory rules and the said instructions would thus only operate from the date they were issued.

12. Accordingly, the present appeals are partly allowed and the order of the learned Single Judge is modified to the above extent that the writ petitioners be given the benefit of the computer/training test.”

4. The case of petitioners on merit is squarely covered by judgment of this Court in *Anju Bala (Supra)*. The rider created by Division Bench of this Court while adjudicating LPA is not attracted to instant case because writ petition was pending on the day of adjudication of LPA.

5. In the wake of aforesaid facts, the instant petition deserves to be allowed and accordingly *allowed* in terms of order dated 15.11.2021 passed by a Division Bench of this Court in ‘*State of Haryana Vs. Anju Bala*’, *LPA No.26 of 2021 (O&M)*.

(JAGMOHAN BANSAL)
JUDGE

12.09.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No