



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
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Date of decision: 29.10.2025

1. CWP-3231-2023 (O&M)

Parveen Kumar
.....Petitioner
Versus
State of Haryana and others
.....Respondents

2. CWP-8327-2023 (O&M)

Akshay Kumar
.....Petitioner
Versus
State of Haryana and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kuldeep Sheoran, Advocate
for the petitioner(s) in both the cases.

Mr. Piyush Khanna, Addl. A.G., Haryana.

Ms. Nikita Goel, Advocate
for respondent No.2 in both the cases.

HARPREET SINGH BRAR J. (Oral)

1. Vide this common order, I intend to dispose of CWP Nos.3231 and 8327 of 2023, as common questions of law and facts are involved for adjudication. For the sake of convenience, facts are taken from CWP-3231-2023.
2. Prayer in writ petition (CWP-3231-2023) filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to cross check and

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get verified the Experience Certificate of the selected candidates for the post of Assistant Seed Production Officer for Haryana Seeds Development Corporation against the advertisement No.1/2020 dated 12.02.2020 category No.33 (Annexure P-1) from an independent Govt. agency like the State Vigilance Bureau and candidates selected on the basis of bogus/ fabricated/Invalid Experience Certificate may be weeded out from the selection list/Final Result dated 05.11.2022 (Annexure P-6). Further prayer has been made to direct the respondents to consider and appoint the candidates like petitioner and other candidates next in order of merit i.e from the waiting list or from merit list as per result on the post of Assistant Seed Production Officer and grant all consequential benefits raising therefrom. Another prayer has been made to direct the respondents in view of the judgment dated 06.08.2014 (Annexure P-11) in case of ***Maha Singh Bhurania vs. State of Haryana and others*** that before the issue the appointment letters only after verifying antecedents of each of candidates and after making scientific verification as available and further to direct the respondents for verification of the experience certificates of the selected candidates and after verification prepared the fresh merit list of the genuine candidates for the post of Assistant Seed Production Officer as per the merit.

3. Learned counsel for the petitioner, *inter alia*, contends that the petitioner, being fully eligible, applied for the post of Assistant Seed Production Officer for Haryana Seeds Development Corporation pursuant to the advertisement No.1/2020 dated 12.02.2020 (Annexure

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P-1). The petitioner was successful in written examination and on 06.12.2021, he was called for scrutiny of the documents. The petitioner appeared before the Scrutiny Committee and no fault or shortcoming was pointed out by the said Committee on 10.12.2021. Surprisingly, the respondent No.3/Commission issued final result on 05.11.2022 (Annexure P-6), however, the petitioner was not shown either in the list of successful candidates or in the waiting list. On 07.11.2022, the respondent No.3/Commission declared the detailed result of all the candidates vide Annexure P-7. Feeling aggrieved, the petitioner filed a detailed representation (Annexure P-8) and also served a legal notice dated 16.11.2022 (Annexure P-9) upon the respondents, however, he was not given appointment. Learned counsel for the petitioner refers to the written statement filed on behalf of respondent No.3 and submits that the petitioner was not considered for appointment on the wrong premise that the experience period of the petitioner is prior to completion of essential qualification. Further some part of the experience was not considered being a trainee. He further refers to the educational credentials of the petitioner available on record and submits that the essential qualification of B.Sc. (Agriculture) with specialization in Agronomy was acquired by the petitioner in the year 2014 and he completed M.Sc. (Agriculture) with specialization in Agronomy in the year 2016 whereas the experience certificate issued by the office of Haryana State Seed Certification Agency was of 27.02.2017 onwards. As such, non-selection of the petitioner is contrary to the facts available

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on record. Further no such anomaly was detected or pointed out by the Scrutiny Committee and respondent No.3/Commission has not considered the case of the petitioner in the light of the actual facts and has wrongly concluded that the experience of the petitioner is prior to completion of essential qualification. He further submits that out of 31 advertised posts, 05 posts are still lying vacant as such, the non-selection of the petitioner is contrary to the record and the admitted facts and therefore, the petitioner is entitled to be appointed as Assistant Seed Production Officer.

4. *Per contra*, learned counsel for respondent No.2 submits that the recruitment agency i.e. respondent No.3 has recommended the name of 22 candidates in the selection list and 03 candidates were kept in waiting list. She further submits that once the Haryana Staff Selection Commission has not recommended the name of the petitioner, hence, respondent No.2 was justified in not offering the appointment to the petitioner.

5. Learned State counsel, on the other hand, submits that even if the marks with regard to experience of the petitioner are added even then, the petitioner would still not clear the minimum benchmark for the General category. He further submits that the cut-off marks in General category is 52 for main and 44 for the waiting list.

6. In rebuttal, learned counsel for the petitioner submits that 05 of the candidates were found to have submitted fake certificates as per the information available at Page 160 of the writ petition and in

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view of the report of the Committee, 05 candidates whose certificates are not found to be genuine, have not joined the respondent/Commission. He further submits that a perusal of detailed result of all candidates (Annexure P-7) clearly indicates that the petitioner was declared eligible initially and it is only at the time of filing the written statement before this Court, the fact with regard to experience of the petitioner was introduced for the first time.

7. Having heard learned counsel for the parties and after perusal of the record, it transpires that the petitioner has acquired the qualification of B.Sc. (Agriculture) with specialization in Agronomy in the year 2014 and subsequently completed M.Sc. (Agriculture) with specialization in Agronomy in the year 2016 whereas respondent No.3/Commission has considered the petitioner ineligible for the post, in question, on the premise that the experience period of the petitioner pertains to the time prior to completion of the essential qualification. The details of the experience period along with remarks, reads as follows:-

Sr. No.	Name and Roll No.	Experience gained on the post of	Time period of experience	Total experience	Remarks after re-examining the case of petitioner
1.	Parveen Kumar 1933030106	1. Seed Certificate officer in the O/o Haryana State Seed Certification Agency.	27.02.2017 to 26.04.2017 and 27.06.2017 to 21.11.2017	2 months 4 months 25 days	The experience period being prior to completion of essential qualification may not be considered.
		2. Seed		6 months 7	Trainee

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		Certificate officer in the O/o Haryana State Seed Certification Agency.		days	period cannot be treated as experience.
		3. Technical Assistant in the O/o Haryana Seed Development Corporation Limited.		1 year 15 days	Cannot be considered due to lack of experience in the relevant post.

8. Further, a perusal of the final report regarding verification of experience certificate for the post of Assistant Seed Production Officer reveals that one candidate namely Sanju Dudi son of Raja Ram was given appointment after considering his experience period as a trainee in seed production whereas different yardstick has been adopted in the case of the present petitioner. Further, the short reply filed on behalf of respondent No.2 dated 20.08.2024 reveals that a departmental committee was constituted to verify the experience certificates of the recommended candidates strictly according to Haryana Seeds Development Corporation (HSDC) Employee Service Regulations. The committee submitted the reports dated 16.06.2023, 26.07.2023, 27.07.2023 and 21.09.2023, which are annexed as Annexures R-2/2 to R-2/5, respectively and as per the report of the committee, the certificates of following candidates were found not to be genuine:-

Sr. No.	Name	Roll No.
1.	Dinesh Tewatia	1933030148
2.	Sajid Khan	1933030183
3.	Anuj Kumar	1933030177

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4.	Pinki	1933030121
5.	Shalini Yadav	1933030098

9. In view of the facts available on record, it appears that respondent No.3/Commission has not considered the petitioner for selection to the post of Assistant Seed Production Officer on the wrong premise that the experience period of the petitioner is prior to completion of essential qualification. However, the record clearly reflects that the petitioner obtained his M.Sc. (Agriculture) with specialization in Agronomy in the year 2016, whereas the experience certificate relied upon pertains to the period commencing from 27.02.2017 onwards i.e. subsequent to the completion of the requisite qualification. It also emerges from the departmental verification reports that the experience certificates of five candidates, namely, Dinesh Tewatia, Sajid Khan, Anuj Kumar, Pinki, and Shalini Yadav were found to be not genuine and those candidates have not joined the service.

10. Accordingly, respondent No.3/Commission is directed to consider and re-examine the case of both the petitioner(s), after considering the totality of the circumstances of the case and shall pass a speaking order in the light of the fact that experience certificates of 05 of the candidates have not been found to be genuine by the departmental committee and they have not joined respondent No.3/Commission and in case, upon such reconsideration, the petitioner(s) are found eligible, their names shall be recommended to respondent No.2 for appointment to the post of Assistant Seed Production Officer. Respondent No.3 is

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directed to afford an opportunity of hearing to both the petitioner(s) and the petitioner(s) shall be at liberty to produce all the relevant documents and experience certificates before the Haryana Staff Selection Commission. The entire exercise shall be completed within a period of three months from the date of receipt of certified copy of this order.

- 11. In view of the foregoing reasons, both the writ petitions are disposed of.
- 12. A photocopy of this order be placed on the file of other connected case.

(HARPREET SINGH BRAR)
JUDGE

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