



CWP-3625-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-3625-2025**Date of Decision:17.03.2025****VIJAY KUMAR**

..... Petitioner

*Versus***THE STATE OF HARYANA AND OTHERS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Abhishek Yadav, Advocate
for the petitioner.

Mr. Raman Sharma, Addl. AG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 01.03.2021 (Annexure P-6) whereby respondent has rejected his request to appear for Executive Clerical Cadre (English & Account) Branch Test.

2. The petitioner, at present, is holding rank of Head Constable. As per scheme evolved by respondent, the Constables may appear for Executive Clerical Cadre Test. The petitioner despite holding rank of Head Constable wants to participate in the test.

3. Mr. Raman Sharma, Addl. AG, Haryana submits that post of Clerk is lower than post of Head Constable. The Constables are permitted to participate in the selection process of Executive Clerical Cadre as per standing order No.19525 dated 26.07.2011. The respondent may permit the petitioner to participate in the aforesaid test, however, if he is selected



as Clerk, he would be entitled to benefits available to Clerk and cannot claim position of Head Constable.

4. Faced with this, Mr. Abhishek Yadav, Advocate for the petitioner submits that he would furnish an affidavit to the effect that he would not claim benefits arising out of the rank of Head Constable if he is selected as Clerk pursuant to exam conducted by respondent.

5. In the wake of statement of both sides, the respondent shall consider case of petitioner in terms of aforesaid standing order.

6. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

17.03.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No