



CWP No. 13380-2019(O&M) -1-

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

**CWP No. 13380-2019(O&M)
Date of Decision: 20.08.2025**

Amit Kumar

....Petitioner

VS.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Mazlish Khan, Advocate
for the petitioner

Mr. Ravi Partap Singh, D.A.G, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of result dated 23.06.2017 to the extent he has not been selected under General Category.

2. The petitioner pursuant to advertisement No. 8/2015 dated 19.07.2015 applied for the post of Constable. In the application form, he duly disclosed that he is possessing 'A' Grade NCC Certificate. He did not enclose copy of certificate issued by competent authority. He applied under General Category. He cleared written and physical tests. He was called for scrutiny of documents. He produced NCC Certificate. He was denied one mark of NCC Certificate on the ground that he has not enclosed NCC Certificate with the application form.

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3. Mr. Mazlish Khan, Advocate submits that respondent has revised result on 09.08.2019 and as per revised result, cut off is 63.35 marks and petitioner was awarded 63.00 marks. If he is awarded one mark for NCC Certificate, his marks would be more than the marks of last selected candidate. This Court vide judgment dated 16.01.2019 in ***Jaideep vs. State of Haryana and others, CWP No.17449 of 2017*** with respect to same advertisement has directed respondent to grant one mark despite the fact that petitioner therein did not disclose factum of NCC Certificate in the application form. Similarly, a Division Bench of this Court vide judgment dated 08.08.2023 in ***Vishal Goswami vs. State of Haryana and others, LPA No.739 of 2023*** has ordered to grant three marks to a candidate who did not claim marks in the application form. The petitioner's case is on better footing because he had duly lodged claim in the application form.

4. *Per contra*, Mr. Ravi Partap Singh, D.A.G, Haryana submits that petitioner did not enclose Gradation Certificate with the application form, thus, he was not entitled to one mark.

5. I have heard learned counsel for the parties and perused the record with their able assistance.

6. The petitioner pursuant to advertisement dated 19.07.2015 applied for the post of Constable. He filed application form on 27.09.2015. In the application form, he categorically declared that he is possessing 'A' Grade NCC Certificate. The relevant extracts of application form are reproduced as below:-

“Whether passed NCC Certificate?: Yes

NCC Certificate: A”



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7. From the perusal of record, it is evident that petitioner has been denied one mark on the ground that he did not enclose NCC Certificate along with application form though he had duly disclosed that he is possessing 'A' Grade NCC Certificate. Case of petitioner is squarely covered by judgments of this Court in ***Vishal Goswami (Supra)*** and ***Jaideep (supra)***

8. In the wake of above discussion and findings, the instant petition deserves to be allowed and accordingly allowed. The respondents are directed to re-consider claim of the petitioner after awarding one mark of NCC Certificate.

9. The petitioner shall be awarded one mark of NCC Grade 'A' certificate and re-considered for the post. The advertisement was issued in 2015 and post in question is of Constable. Physical/mental fitness is of paramount consideration in the Police Force. The post of Constable is a public post to which a lot of responsibilities are attached. Thus, petitioner's appointment shall be subject to medical examination and police verification. The date of joining of the petitioner shall be his date of appointment for all intents and purposes (service benefits). If the petitioner is issued appointment letter, his appointment would not affect already selected candidates. The needful shall be done within six weeks from today.

10. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

20.08.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:	Yes	