



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

CWP-14976-2022 (O & M)
Date of Decision: 11.07.2025

Gagandeep SinghPetitioner(s)

Versus

State of Haryana and othersRespondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Brijender Kaushik, Advocate,
for the petitioner.

Mr. Raman Sharma, Addl. A.G., Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article of the Constitution of India is seeking aside of result dated 19.10.2021 to the extent candidature of petitioner has been rejected.
2. The petitioner pursuant to Advertisement dated 15.06.2021 applied for the post of Sub Inspector (Male). He was issued admit card. He appeared for written examination held on 26.09.2021. He was declared successful in the written test and thereafter called for physical measurement and screening test. He cleared physical measurement and screening test. Thereafter he was subjected to scrutiny of documents on 25.10.2021. He submitted all the documents. In the final result, he was not considered on the ground that he was not having Bachelor's degree at the time of filing application.
3. Mr. Brijender Kaushik, learned counsel for the petitioner submits that petitioner filed application on 09.07.2021 which was last date prescribed by public notice dated 03.07.2021. In the application



form, he categorically disclosed his qualification. The University declared his result on 08.07.2021. Marksheet was issued on 08.07.2021 though final degree was issued at a later stage. The petitioner for all intent and purposes on the date of filing application was a Graduate.

4. *Per contra*, Mr. Raman Sharma, Addl. A.G., Haryana submits that application form was filed on 09.07.2021 and result of final year was declared on 08.07.2021. The degree was issued later on whereas cut-off date was 09.07.2021. Degree issued after 09.07.2021 could not be considered. The petitioner was supposed to upload Bachelor's degree along with application form.

5. I have heard the arguments and perused the record.

6. The petitioner applied pursuant to advertisement dated 15.06.2021. Last date for filing application was 09.07.2021. Result of final year was declared on 08.07.2021. Mark sheet of Graduation was issued on 08.07.2021. The petitioner in the application form disclosed date of declaration of result, date of mark sheet, marks obtained etc. Copy of mark sheet obtained through online was also uploaded along with application form.

7. In the advertisement, essential qualification was prescribed which reads as under:-

“Essential Qualifications for Category No. 1 above:-

- i) Graduation from a recognized university or its equivalent.*
- ii) Matric with Hindi or Sanskrit as one of the subject or higher;”*



8. Clause 3.1 of the advertisement prescribed documents which were required to be uploaded with application form. Para 3.1 of the advertisement reads as under:-

3.1 Documents to be uploaded with Application Form

1. *Scanned Copy of Essential Academic Qualifications i.e. Matriculation Certificate showing Date of Birth and other relevant details.*
2. *Scanned Copy of SC/BCA/BCB/EWS/ESM/DESM/DFF certificate alongwith Haryana domicile Certificate issued by competent authority.*
3. *Scanned copy of Certificate claiming weightage/marks under socio-economic criteria and experience alongwith Haryana domicile Certificate issued by competent authority.*
4. *Scanned Photo duly signed by the Candidate.*
5. *Scanned signatures of the Candidate.*
6. *Scanned copy of all documents showing higher qualification, experience etc. on which basis candidate claim marks.*
7. ***Documents which are uploaded shall be considered at the time of scrutiny.”***

9. Note 8 to Clause 2.4 of the advertisement provides that qualifications and other terms and conditions of eligibility will be determined with regard to the last date fixed for receipt of online applications also terms as closing date. Note 8 of Clause 2.4 of the advertisement reads as under:-

“8. Qualifications and other terms and conditions of eligibility will be determined with regard to the last



date fixed for receipt of online applications also terms as closing date.”

10. From the conjoint reading of terms and conditions of the advertisement, it is evident that petitioner was required to possess Bachelor's degree by 09.07.2021. Result of final year was declared on 08.07.2021. He received mark sheet on 08.07.2021. He duly uploaded mark sheet and disclosed particulars of his Graduation in the application form. Thus, he duly complied with requirements of advertisement. The petitioner was eligible for appointment. The respondent has wrongly rejected his candidature on the ground that he was not possessing Bachelor's degree by 09.07.2021.

11. At this stage, Mr. Raman Sharma, Addl. A.G., Haryana submits that all the selected candidates have already joined. Thus, there are possibilities that there is no vacant post.

12. Considering the statement of Mr. Raman Sharma, the respondent is directed to create a supernumerary post if no post is lying vacant. The respondent shall consider all the documents of the petitioner and issue him appointment letter if he complies with all other terms and conditions of the advertisement. His date of joining shall be date of his appointment for all intent and purposes. Needful shall be done within 2 months from today.

13. Disposed of.

14. Pending application(s), if any shall also stand disposed of.

11.07.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
Yes