



CWP-17037-2021

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

**CWP-17037-2021 (O&M)
Date of Decision: 22.05.2025**

VIPIN KUMAR

..... Petitioner

*Versus***STATE OF HARYANA AND ANOTHER**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

Ms. Palika Monga, DAG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. On 10.07.2024, the following order was passed:

“Learned counsel for the petitioner has referred to the result (Annexure P-17) to contend that the petitioner was in the BCB category and kept in the waiting list at serial No.2, which also depicts that the cut off for the waiting list was 87 marks. He further referred to Annexure P-19, which is the final result of the petitioner, in which his grand total is shown to be 88 marks. He further submitted that firstly, once the cut off of the waiting list was 87 marks, the petitioner ought to have been selected on the basis of his grand total and secondly, there was no justification for keeping him in the waiting list at serial No.2 in view of his grand total marks. He also submitted that apart from the above, he was also entitled for 5 marks for his experience.

Learned State counsel has prayed for some time



to seek specific instructions with regard to the aforesaid averments made by the learned counsel for the petitioner.

On her request, adjourned to 04.12.2024.”

2. During the course of hearing, the respondent submitted a letter dated 22.05.2025 of Haryana Staff Selection Commission, Panchkula addressed to the Advocate General, Haryana, Chandigarh. As per said letter, the last selected candidate in BCB category had secured 88 marks. The petitioner had also secured 88 marks. There is another candidate namely Manikant who had secured 88 marks. The last selected candidate shown in the waiting list had secured 87 marks.

3. The petitioner claims that he should be shown at serial No.1 in the waiting list and last selected candidate had secured 88 marks, thus, he is entitled for the post.

4. Learned State counsel submits that indubitably, the petitioner as well as last selected candidate had secured 88 marks. There is another candidate namely Manikant who had secured 88 marks. There are 7 candidates who had secured 88 marks and as per procedure candidate elder in age is selected, in case two or more candidates secure equal marks. Deepak (last selected candidate) was elder to petitioner as well as Manikant, thus, was selected.

5. The petitioner had secured 88 marks and last selected candidate had also secured 88 marks, thus, respondent was bound to consider age factor. Deepak (last selected candidate) was elder to petitioner, thus, he was selected. The last selected candidate in the waiting list had secured 87 marks, thus, he was also shown in the waiting list. The petitioner is shown at serial No.2 whereas candidates who have



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secured 87 are shown at serial No. 3 and 4 in the waiting list, thus, there is no infirmity.

6. In the wake of aforesaid factual position, the present petition stands disposed of.

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

(JAGMOHAN BANSAL)
JUDGE

22.05.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No