



LPA-1522-2024 (O&M) & LPA-1581-2024 (O&M) -1-

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

**Date of Decision: 10.09.2025
LPA-1522-2024 (O&M)**

TIMSI PALIA ... APPELLANT

VS.

STATE OF HARYANA AND OTHERS .. RESPONDENTS

LPA-1581-2024 (O&M)

VIKAS ... APPELLANT

VS.

STATE OF HARYANA AND OTHERS .. RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

**Present: Mr. Edward Augustine George, Advocate
for the petitioner in LPA-1522-2024.**

**Mr. Garvit Mittal, Advocate
for the petitioner in LPA-1581-2024.**

Mr. Sanjeev Kaushik, Addl. A.G.Haryana.

**Mr. Hitesh Pandit, Advocate (through V.C.)
for UHBVNL/DHBNVL.**

ASHWANI KUMAR MISHRA, J. (ORAL)

1. These Letters Patent Appeals arise out of an order passed by learned Single Judge on 29.05.2024, dismissing the writ petitions of the petitioners/appellants.

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2. Learned Single Judge has noticed the facts of the case and come to the conclusion that the petitioners are not entitled to appointment on account of their low merit in the recruitment proceedings undertaken by the Haryana Staff Selection Commission (for short 'the Commission').

3. The undisputed facts of the case are that advertisements were issued for appointment to the post of Upper Divisional Clerk (UDC) in Uttar Haryana Bijli Vitran Nigam Ltd. (UHBVNL) and Dakshin Haryana Bijli Vitran Nigam Ltd. (DHBVNL). The requisitions were sent by two Corporations, separately in respect of 230 posts and 217 posts, respectively. A composite result, however, was published by the Commission, which came to be challenged in an earlier round of writ petitions before this Court. Learned Single Judge came to the conclusion that once the requisitions were separate and distinct, a composite result could not have been declared. It is for this reason that the declaration of result by the Commission was set aside. Letters Patent Appeals were then filed by the candidates who had made it to the select list. The Division Bench disposed of the appeal by passing the following order on 04.12.2018.

“The petitioners-respondents approached this Court seeking quashing of the final result for the post of Upper Division Clerk (UDC) conducted by Haryana Staff Selection Commission in pursuant to Advertisement No. 3/2016. The basic ground of challenge was that two merit lists had been prepared under the heads of two different Corporations, namely, Uttar Haryana Bijli Vitran Nigam Limited (UHBVNL) and Dakshin Haryana Bijli Vitran Nigam Limited (DHBVNL). Learned Single Judge vide judgement and order dated 21.11.2017 allowed the writ petition being CWP-6454-2017 and other connected cases and the result dated 20.03.2017 pertaining to 230 posts of DHBVNL was quashed and the respondent-Commission was directed to re-advertise 230

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posts and to take further steps for fresh recruitment process. The selected candidates for DHBVNL, who were not impleaded as respondents in the writ petitions, have filed LPA-693-2018. LPA-2310-2017 has been filed by similarly situated candidates. The candidates selected for UHBVNL have made an application for being impleaded as party to the proceedings on the allegation that selection for the said Corporation was never under challenge.

2. The matter has been heard on various occasions and ultimately learned Advocate General, Haryana has come up with a suggestion that in both the Corporations total 429 candidates have been found eligible as against 447 posts and these candidates will be considered for appointment as per qualification prescribed in the statutory rules governing the services in UHBVNL and DHBVNL.

3. Learned counsel appearing for the selected candidates as well as the original petitioner(s) have no objection to the aforesaid proposal made by learned Advocate General, Haryana.

4. In view of the agreement between the parties, we dispose of both the appeals in terms of the statement of learned Advocate General, Haryana recorded hereinabove and the impugned judgement of the learned Single Judge stands modified to that extent.

5. We are sanguine that the dispute having come to an end, the respondents shall proceed to do the needful for making final appointments as expeditiously as possible.

6. Since the main appeals itself stand disposed of, all the miscellaneous applications also stand disposed of.”

4. It is thereafter that the Commission recommended 323 candidates out of the 429 candidates who were found eligible earlier. According to the Commission, the available vacancies in the general category are 66 for DHBVNL and 62 for UHBVNL, totaling 128 seats. As per the Commission, both the petitioners belong to general category and their marks are much below the last selected candidate in the general

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category. It is for this reason that they have not been recommended for appointment by the Commission.

5. When the matters were heard last, it was pointed out that the stand taken by the Commission is at variance with the undertaking given by the Advocate General, Haryana, in the previous round of litigation. Consequently, we directed counsel for the Commission to produce the original record. An affidavit has also been filed by the Under Secretary of the Commission. In this affidavit, it is clarified that 323 recommendations have been made by the Commission, including 128 recommendations made in respect of general category. In para 5, reasons have been specified for non-selection of the two appellants. As per the Commission, appellant-Timsi Palia has obtained 86 marks, whereas the cut-off for general category candidate is 118 marks. Even for the wait-listed candidate, the cut off is 110 marks. Similarly, the appellant-Vikas has secured 108 marks, which is below the cut-off for selection and also below the cut-off for placing him in the waiting list.

6. Learned counsel for the appellants submits that the Commission could not have consolidated the general category seats so as to calculate the merit, and that a separate merit list ought to have been drawn for the two requisitions separately.

7. The submissions advanced on behalf of the appellants cannot be accepted in view of the order passed by the Division Bench in the previous round of litigation, wherein the Commission was proceeded to fill up the posts from 429 available candidates. The merit list, once drawn for the general category candidates, and the two appellants have not been able



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to secure marks above the cut off, no exception can be taken to their non-selection for the post by the Commission.

8. In view of the foregoing discussion, the appeals lack merit and are hereby dismissed

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

**(ASHWANI KUMAR MISHRA)
JUDGE**

**(ROHIT KAPOOR)
JUDGE**

10.09.2025

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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No