



CWP No. 18402-2022(O&M)

-1-

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

**CWP No. 18402-2022(O&M)
Date of Decision: 24.07.2025**

Anil Kumar

....Petitioner

VS.

State of Haryana an another

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. A.P. S.Sandhu, Advocate
for the petitioner

Ms. Rajni Gupta, Addl.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 16.06.2022 to the extent he has not been selected under General Category.

2. The petitioner pursuant to advertisement No. 4/2020 dated 30.12.2020 applied for the post of Constable. In the application form, he duly disclosed that he is possessing 'A' Grade NCC Certificate. He also enclosed copy of certificate issued by competent authority. Particulars of the certificate were duly jotted down in the application form. He applied under EWS Category, however, was considered under General Category. He cleared written and physical tests. He was called for scrutiny of documents. He produced NCC Certificate which was available with him. He was initially granted one mark for NCC Certificate, however, denied on the



ground that he has not produced Gradation Certificate of NCC. He immediately collected gradation NCC Certificate from his school. Final result was declared and he could not be selected because his marks were less than the cut off marks.

3. Mr. A.P.S.Sandhu, Advocate submits that respondent has revised result on 29.02.2024 and as per revised result, cut off is 63.03 marks and petitioner was awarded 62.83 marks. If he is awarded one mark for NCC Certificate, his marks would be more than the marks of last selected candidate.

4. Per contra, Ms. Rajni Gupta, Addl. A.G., Haryana submits that petitioner did not submit Gradation Certificate at the time of scrutiny of documents, thus, he was not entitled to one mark. This Court has set aside marks of Socio-Economic Criteria, thus, result is likely to be revised.

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

6. The petitioner pursuant to advertisement dated 31.12.2020 applied for the post of Constable. He filed application form on 03.02.2021. 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:-

"NCC Certificate: A

NCC Certificate Number: HR/JD/08/33209

NCC Issuing Authority: CAMP COMMANDANT

NCC Date of Issue: 04/02/2010



Date & time of submission of application form: 2/3/2021

9:56:45 PM"

7. The petitioner apart from disclosing factum of NCC Certificate in the application form enclosed copy of NCC Certificate. Scanned copy of NCC Certificate dated 04.02.2010 is reproduced as below:-



**प्रमाण-पत्र
CERTIFICATE**

This is to certify that Regimental No. HR/30/08/33200

Rank Cadet Name Anil

Unit 12HRBN NCC SONEPAT (HARYANA)

School/College T. P. Jain Sr. Sec. School, Sonapat

Participated in Combined Annual Training Camp of National Cadet Corps.

Place Commando Complex Naval Karnal.

His / Her conduct during the camp has been Satisfactory /
Good / Very Good / Exemplary.

Place : NAVAL (Karnal)

Dated : 04 Feb 2010


 (Ranjiv Singh)
 Col
 Camp Commandant

8. The petitioner appeared for scrutiny of documents. He submitted afore-stated certificate. He was initially granted one mark for

NCC Certificate, however, later on denied on the ground that he has not submitted Gradation Certificate. From the perusal of afore-stated certificate, it is evident that in the certificate nowhere it has been mentioned that it is a Grade ‘A’ certificate. The petitioner collected Gradation Certificate from his school. Scanned copy of said certificate is reproduced as below:-



- 9, From the perusal of afore-stated certificate, it is evident that in the said certificate, it is categorically mentioned that Grade is ‘A’. The certificate is issued by Deputy Director General, National Cadet Corps. It relates to examination held in 2010.
10. The respondent is denying one mark on the ground that Gradation Certificate was not produced. From the application form and



documents enclosed with the application form as well as produced at the time of scrutiny, it can easily be concluded that petitioner duly disclosed that he is having Grade ‘A’ NCC Certificate and enclosed copy of certificate which was available with him. The copy, in the form as was necessary, was available with his school. He collected the said copy and submitted with respondent prior to declaration of result. The petitioner could be denied one mark had he not disclosed the said fact in the application form or not enclosed certificate available with him whereas he duly disclosed in the application form that he is possessing Grade ‘A’ NCC Certificate as well as enclosed copy of said certificate.

11. In the wake of aforesaid position, this Court finds it appropriate to direct the respondents to re-consider claim of the petitioner. The petitioner shall be awarded one mark of NCC Grade ‘A’ certificate and he shall be considered along with other candidates while preparing revised merit list.

12. Disposed of in the above terms.

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

(JAGMOHAN BANSAL)
JUDGE

24.07.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:	Yes	