

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

2025:PHHC:052883



(238)

**CWP-19630-2022
Decided on : 24.04.2025**

Gulshan

.....Petitioner(s)

Versus

State of Haryana & others

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE VINOD S.BHARDWAJ

Present: Mr.Jasbir Mor, Advocate for the petitioner (s).

Mr.Rahul Dev, Addl.A.G., Haryana.

VINOD S.BHARDWAJ, J. (Oral)

1. The petitioner by way of the present writ petition, seeks direction to the respondent-Haryana Staff Selection Commission (for short, the 'HSSC') to correct the category of the petitioner from ESP-BCA to Backward Class (A) category and to consider his candidature under the said category.

2. Learned counsel appearing for the petitioner contends that controversy in the present case revolves around a small pivot i.e. whether the petitioner is entitled to be considered for appointment under the BCA category on the basis of the Sports Gradation Certificate, considering his relative merit under eligible Sportsperson category. He has obtained a total of 64 marks in the written examination and his candidature was recommended under the ESP-BCA category even though the last selected candidate under the BCA category had secured 63 marks and the cut-off in the waiting list was 62. He further contends that the respondents refused to accept the Gradation Certificate submitted by the petitioner for the sports achievements.

3. Learned counsel for the petitioner contends that notwithstanding the petitioner not being extended benefit of the Sports Gradation Certificate, yet, on the basis of his own merit and he being higher than the last selected candidate under the BCA category, his candidature ought not to have been cancelled for appointment under the said category itself. He submits that similar controversy has already been adjudicated by this Court in CWP-22856-2019 titled *Parveen Vs. State of Haryana & others*, decided on 06.12.2022. It is contended that the respondent-State has preferred LPA-614-2023 against the said judgment and there is no stay against the said judgment and an interim order has been passed to the advantage of the respondent therein in the said Letters Patent Appeal.

4. Learned State Counsel is not in a position to controvert the issue adjudicated by this Court in Parveen (supra).

5. The present writ petition is, accordingly, allowed, in terms of the judgment dated 06.12.2022 passed in CWP-22856-2019 titled *Parveen Vs. State of Haryana & others*.

(VINOD S.BHARDWAJ)
JUDGE

24.04.2025
Sailesh

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