



115

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

CWP-17934-2025

Date of decision: 21.08.2025

Ankit Sandhu

....Petitioner

Versus

Haryana Staff Selection Commission and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Kushaldeep Kaur, Advocate and
Ms. Sharvi Dadhwal, Advocate
for the petitioner.

Mr. Piyush Khanna, Addl.A.G., Haryana.

Ms. Simran Sharma, Advocate and
Ms. Manreet Kaur, Advocate for
Mr. Sanjeev Kaushik, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing impugned order dated 05.06.2025 (Annexure P-15).
2. The petitioner is aggrieved by the impugned order passed by respondent No.2 on 05.06.2025 (Annexure P-15) vide which the service of the petitioner for the post of Assistant Seed Production Officer was terminated after 01 year and 11 months. The impugned order was passed without issuing any show cause notice or affording an opportunity of hearing. The petitioner has participated in the selection process pursuant to the advertisement issued by respondent No.1. The essential requirement for the post of Seed Production Officer as mentioned in the advertisement is reproduced as below:-



CWP-17934-2025

-2-

‘(i) B.Sc. (Agril.) with High 2nd Div. or or M.Sc. (Agril.) with specialisation in Plant Breeding, Agronomy or Seed Technology with minimum 02 years experience in Seed Production/Processing/certification etc.

(ii) Hindi/Sanskrit as one of the subject in Matriculation or Higher.’

3. The petitioner had worked on contract basis from 06.04.2018 till his selection in the Office of the Deputy Director, Agriculture, Yamuna Nagar under the Department of Agriculture, Government of Haryana. Thereafter, vide impugned order dated 02.06.2025 (Annexure P-20), the petitioner was declared to be ineligible on the ground that he lacks requisite experience in terms of the eligibility set out in the advertisement. Respondent No.1 has travelled beyond its jurisdiction vested as per Haryana Staff Selection Commission Act, 2004 as after the recommendation was sent for selection to the intending Department, respondent No.1 become *functus officio* and he has no jurisdiction to revisit the selection process already concluded. Further, the veracity of the experience certificate of the petitioner was examined by a Committee of three senior officers of respondent No.2 and as per their finding recorded in Annexure P-13, the experience certificate of the petitioner was found to be valid. The petitioner has during his contractual employment as Assistant Technology Manager with the Department of Agriculture has dealt with seed distribution, crop demonstration, seed quality complaints and field survey. The experience of the petitioner was at par with the other selected candidates. Thereafter, the petitioner was issued appointment letter on 21.06.2023 (Annexure P-14) after conducting due process. In the meantime, a writ petition was filed before this Court bearing CWP No.3231 of 2023 by some of the candidates on the ground that the candidates whose certificates were not genuine have been appointed and verification of the selected candidates was done. In terms of the grouse



CWP-17934-2025

-3-

raised by several other candidates before this Court, four departmental committees were constituted to verify the experience certificates of the recommended candidates. As per the report of the committee, the certificate of five candidates were not found to be genuine. The name of the petitioner does not fall in the list of those candidates. Thereafter, additional affidavit was filed before this Court in CWP No.3231 of 2023 and the name of the petitioner was not mentioned as one of those candidates whose experience certificate was not found to be genuine. Surprisingly, thereafter, respondent No.1 on its own has concluded that the petitioner is not entitled to be selected as his experience certificate is not in consonance with the eligibility criteria.

4. Learned counsel for respondent No.2 submits that respondent No.1 has issued letter which was received by respondent No.2 on 02.06.2025 (Annexure P-20) and respondent No.2 has acted upon the aforesaid letter issued by respondent No.1. Respondent No.2 was intimated by respondent No.1 that recommendation of the petitioner for the post of Assistant Seed Production Officer is withdrawn with immediate effect.

5. Learned counsel for respondent No.1 refers to para 7 of the written statement and submits that the experience certificate on the post of Assistant Technology Manager in office of the Deputy Director Agriculture does not fulfil the requisite experience in terms and conditions of the advertisements and the petitioner is not found eligible for the post in question. However, learned counsel for respondent No.1 could not provide any explanation, the material or reasons for arriving at a conclusion that the experience certificate provided by the petitioner does not fulfil the requisite experience.

6. Further, learned counsel for respondent No.1 could not controvert



CWP-17934-2025

-4-

the fact that respondent No.1-Commission was merely acting as a recruiting agency and bound to follow the terms and conditions of the process and instructions of the intending Department which has interpreted the eligibility in favour of the petitioner in terms of his experience.

7. Having heard learned counsel for the parties and after perusal of the record, admittedly, the petitioner was selected and issued appointment letter dated 21.06.2023 and it is not a case that the experience certificate of the petitioner was fake or procured from any private organization. The petitioner admittedly, worked on a contractual post in the Department of Agriculture, Government of Haryana. The eligibility with regard to the experience provided in the advertisement is seed production, processing and certification. The intending Department is respondent No.2 which has constituted a committee of three senior officers who have thoroughly examined the experience of the petitioner on his contractual post and has found him suitable and fit fulfilling the criteria and only thereafter, the appointment letter was issued. Once the criteria was set out in the advertisement issued by respondent No.1, by respondent No.2 being intending Department, it is not forthcoming how respondent No.1 would withdraw its recommendation after the appointment of the petitioner. The work and conduct of the petitioner during his service of 01 year and 11 months has been satisfactory and respondent No.2 has never raised any objection with regard to the past experience of the petitioner not suitable for the post of Assistant Seed Production Officer. The petitioner has worked in the Agriculture Department dealing with seed distribution, crop demonstration, seed quality complaints and field survey. Once the petitioner has been appointed even though he has not participated in the production or processing



CWP-17934-2025

-5-

of the seeds, however, the committee has found him eligible during verification of the experience certificate on account of his past service in seed distribution, seed quality complaints and field survey. There was no occasion for respondent No.1 to have withdrawn the recommendation.

8. Further, the impugned orders passed by respondent No.2 on 05.06.2025 and 02.06.2025 (Annexures P-15 & P-20, respectively) suffer from irrationality and does not satisfy the objective standards of reasons and justice. The petitioner has participated in a selection process carried out in a transparent manner and without assigning reasons, the withdrawal of the recommendation of the petitioner to the post of Assistant Seeds Production Officer is whimsical in manner and is not sustainable in the eyes of law.

9. Furthermore, respondent No.1-Haryana Staff Selection Commission, is only a recruitment agency. The intending Department i.e. respondent No.2-Haryana Seeds Development Corporation, has found the petitioner eligible on the basis of the verification conducted on the basis of his experience certificate.

10. In view of the discussion above and the facts and circumstances of the case, the present writ petition is allowed and impugned orders dated 05.06.2025 (Annexure P-15) and dated 02.06.2025 (Annexure P-20) are hereby set aside.

(HARPREET SINGH BRAR)
JUDGE

21.08.2025

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No