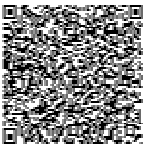


213 (9 cases) IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

2025:PHHC:020274-DB 

LPA-585-2017 (O&M)  
Date of Decision: 11.02.2025

Haryana Public Service Commission ...Appellant  
Vs.

Kuldeep Nara & Ors ...Respondents

LPA-540-2017(O&M)

Jyoti Solanki ...Appellant  
Vs.

Haryana Public Service Commission and others ...Respondents

LPA-554-2017 (O&M)

Rajesh Kumar and anr. ...Appellants  
Vs.

Haryana Public Service Commission and others ...Respondents

LPA-559-2017 (O&M)

Rajesh Kumar ...Appellant  
Vs.

Haryana Public Service Commission and others ...Respondents

LPA-594-2017 (O&M)

Meenakshi ...Appellant  
Vs.

Haryana Public Service Commission and others ...Respondents

LPA-663-2017 (O&M)

Daisy Rani ...Appellant  
Vs.

Haryana Public Service Commission and others ...Respondents

LPA-1943-2017 (O&M)

Haryana Public Service Commission

...Appellant

Vs.

Shiv Charan and ors.

...Respondents

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA  
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Parvindra Singh Chauhan, Advocate General, Haryana with  
Mr. Balvinder Snagwan, Advocate and  
Mr. Sanjeev Kaushik, Addl. AG, Haryana,  
for the appellant in LPA-585-2017 and LPA-1943-2017 and for  
HPSC in other cases.

Mr. D.S. Patwalia, Sr. Advocate with  
Mr. B.S. Patwalia, Advocate  
for the appellants in LPA-540-2017.

Mr. R.K. Malik, Sr. Advocate with  
Mr. Varun Veer Chauhan, Advocate LPA-594-2017.

Mr. S.K. Garg Narwana, Sr. Advocate with  
Mr. Rahul Deswal, Advocate for  
the appellant in LPA-663-2017.

Mr. Ishaan Bhardwaj, Advocate for the appellants in  
LPA-554-2017 and LPA-559-2017.

Mr. Sunil K. Nehra, Advocate for respondent No.1  
in LPA-585-2017.

Mr. R.K. Doon, Advocate  
for respondent No.5 in LPA-540-2017.

**SANJEEV PRAKASH SHARMA, J. (Oral)**

1. The judgment assailed before us dated 22.03.2017, passed by the learned Single Judge, is in the case of Kuldeep Nara v. Haryana Public Service Commission and others, arising out of CWP-14846-2016. The said judgment has also been assailed by other affected persons by way of their respective LPAs.

2. Learned counsel who is appearing on behalf of Kuldeep Nara, has handed over a copy of email sent to him by his client stating therein that

the concerned writ petitioner is no more interested in pursuing his petition and also does not want to pursue the appeal as the post offered to him would be of Assistant Professor whereas he is already working as Professor at CRSU, Jind, which is a State University of Haryana. He also requests his counsel not to pursue the said case. The copy of email is taken on record.

3. It is also stated by counsel appearing for one of the appellants that he also has information about an affidavit having been furnished by the concerned writ petitioner of not pursuing the case and copy of the same is available in his file.

4. Learned Advocate General, Haryana, has appeared on behalf of the Haryana Public Service Commission and submits that the writ petition was allowed by the learned Single Judge and the selections which were made in the year 2012 were set aside while the writ petition itself was preferred in the year 2016, which was solely based on certain information received under the Right to Information Act, 2005.

5. It is stated that the facts as noticed by the learned Single Judge were erroneous and the judgment passed by the learned Single Judge deserves to be set aside on merits too as all the persons who were selected, were not impleaded as party. The finding of the Commission having played fraud in the selection is also without any basis. More so, there is no malice as against any of the officials of the Commission.

6. Learned counsel submits that merely because the scope of interview was enlarged from three times to six times, it cannot be said that there has been a change in the rule while the game was being played and the law laid down in the case of **Tej Prakash Pathak and others vs. Rajasthan High Court and others (2013) 4 SCC 540**, would have no application to the

facts of the instant case. Learned counsel submits that there was no occasion to impose cost of Rs.25 Lakh upon the Commission.

7. We have considered the submissions and also carefully gone through the judgment.

8. We find that the learned Single Judge has embarked upon roving inquiry into the selection process, whereas there was no such case made out by the writ petitioner(s). The writ petitioner himself appears to have preferred this writ petition in the form of ‘PIL’ while he himself is not interested as is apparent from his email sent to his counsel, since he has already been working as Professor in CRSU, Jind, which is a State University of Haryana.

9. Taking into consideration the aforesaid aspects which remained uncontested by the writ petitioner who has chosen not to pursue his LPA, we allow the instant appeals and set aside the judgment and order passed by the learned Single Judge and observe that none of the findings arrived at by the learned Single Judge would have any application in the concerned selection. The concerned persons, who have been selected, would continue to perform their duties as if no such judgment was passed. The cost imposed on the Commission is also set aside.

10. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)  
JUDGE

(MEENAKSHI I. MEHTA)  
JUDGE

11.02.2025  
rajesh

- |                               |   |        |
|-------------------------------|---|--------|
| 1. Whether speaking/reasoned? | : | Yes/No |
| 2. Whether reportable?        | : | Yes/No |