



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

CWP-27237-2025

Date of Decision: 12.09.2025

LALIT KUMAR

...PETITIONER

Vs

STATE OF HARYANA AND OTHERS

...RESPONDENTS

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MRS. JUSTICE RAMESH KUMARI**

Present:- Mr. Deepak Jaglan, Advocate
for the petitioner.

Mr. Pankaj Middha, Addl. AG, Haryana.

ASHWANI KUMAR MISHRA, J. (ORAL)

1. The instant writ petition has been filed challenging the Notification No.G.S.R.-25/Const./Art. 309/2017 dated 13.12.2017 (*for short, 'Notification'*) to the extent it provides for grant of additional 'socio-economic marks' in recruitment on the ground of it being illegal and *ultra vires*. Reliance is placed upon the judgment passed by the Division Bench of this Court in **Neeraj v. State of Haryana & Anr., CWP No.16904-2021.**

2. The petitioner has also challenged the select list published on 23.02.2019 whereby the private respondent No.4 has been appointed to the post of Lab Technician on the ground that her selection was based on socio-economic marks, as such, the selection itself be declared illegal.

3. It transpires that the petitioner had earlier filed a CWP No.18788-2025 which came to be dismissed by the learned Single Judge

vide order dated 23.07.2025, which reads as under:-

“The petition has been filed inter alia seeking a writ of certiorari quashing the selection and appointment of third respondent as Lab Technician in the respondent University pursuant to advertisement 1/2018, Annexure P-1, as also the selection list dated 23.02.2019, Annexure P-5, qua her.

2. Learned counsel for the petitioner contends that the selection is bad in law as it has been made by awarding marks to the candidates for socio-economic criteria pursuant to a notification by the Government, and award of such marks has already been declared illegal by a Division Bench of this Court vide judgment dated 22.05.2025, rendered in a batch of petitions with lead case CWP No.16904 of 2021 titled Neeraj v. State of Haryana and another.

3. Learned counsel for the University, appearing on advance notice, however, contends that the judgment has no application to the Petitioner's case as the Division Bench has set aside the notification dated 1.06.2019, Annexure P-6, for award of marks for socio-economic criteria, whereas the selection in question has been made on the basis of another notification dated 13.12.2017, Annexure P-2. This was not subject matter of challenge before the Division Bench. He also contended that advertisement for the post in question was issued in 2018, and appointment of the third respondent on the basis of selection order dated 23.02.2019, was made in February 2019.

4. Heard.

5. Undisputed position on record is that the third respondent

was selected and appointed pursuant to advertisement 1/2018, and her selection was made, along with that of other candidates, by awarding marks for socio- economic criteria on the basis of notification dated 13.12.2017. This notification was not under challenge before the Division Bench in Neeraj case (supra), nor was the University or the third respondent a party thereto. Therefore, the petitioner cannot be allowed to impugn the selection in question on the basis of Division Bench judgment, that too after more than six years of its conclusion.

6. In view thereof, there is no ground to entertain the petition and it stands dismissed.”

4. It is thereafter that the present writ petition has been filed challenging the Notification providing for additional marks for socio-economic criteria.

5. At the outset, we have called upon the counsel for the petitioner to explain as to why the petition be entertained after such a long lapse of time inasmuch as the fourth respondent has not only been appointed but is apparently working for the last 6-7 years.

6. Learned counsel for the petitioner has merely to submit that in view of the judgment passed by the Division Bench of this Court in **Neeraj (supra)**, the present writ petition has been filed.

7. Though, the Division Bench in the case of **Neeraj (supra)** has interfered with the award of additional marks for socio-economic criteria but in the facts of the instant case we are not persuaded to entertain the grievance of the petitioner after such a long lapse of time.

The challenge to Notification is only intended to avail fresh opportunity before the Division Bench to resurrect the cause after learned Single Judge has dismissed the writ petition.

8. In the event, the petitioner was aggrieved by the Notification or the Advertisement, he could have assailed it at appropriate stage.

9. Admittedly, the petitioner never raised any grievance with regard to Notification or the selection at the appropriate stage. After several years of making of the appointment in favour of the fourth respondent, we would not be justified in entertaining a fresh writ petition at this belated stage.

10. Accordingly, the instant writ petition is **dismissed**.

**[ASHWANI KUMAR MISHRA]
JUDGE**

**[RAMESH KUMARI]
JUDGE**

SEPTEMBER 12th, 2025

Rahul Joshi

1. Whether Speaking/reasoned	Yes/No
2. Whether Reportable	Yes/No