



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

LPA-822-2026 (O&M)
Date of Decision: 25.03.2026

HARYANA STAFF SELECTION COMMISSIONAPPELLANT(S)

VERSUS

VINAY AND OTHERSRESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Rajesh Gaur, Addl., AG, Haryana
for the applicant-appellant.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-2063-LPA-2026 (delay)

1. This application under Section 5 of the Limitation Act read with Section 151 CPC has been filed on behalf of the applicant-appellant seeking condonation of delay of 168 days in filing present appeal.

2. For the reasons mentioned in the application, the same is allowed and delay of 168 days in filing the instant appeal stands condoned.

Main Case (O&M)

3. The learned Single Judge has allowed the writ petition filed by respondent No.1 and directed his graduation mark-sheet to be taken into consideration for appointment to the post of Constable.

4. The recruitment was pursuant to Advertisement No.4/2020 dated 30.12.2020 (for short, 'Advertisement'). The last date for filling-up of the application form was 25.02.2021.

5. The issue before the learned Single Judge was as to whether the graduation degree issued to respondent No.1 was before the last date

specified in the Advertisement or not. The fact that last date for making of application was 25.02.2021 is not in dispute.

6. Respondent No.1 had already passed the graduation examination and his result was also declared prior to 29.01.2021. A Certificate issued by Kurukshetra University Kurukshetra dated 01.07.2022, in this regard, is on record. The only ground on which respondent No.1 was not considered was that the consolidated mark-sheet for all the six semesters was issued to him only on 08.04.2021.

7. Admittedly the eligibility of the candidate has to be seen with reference to the last date fixed for making of application.

8. In this case, the last date for making of application was 25.02.2021. Respondent No.1 had already passed Graduation examination and his result was declared prior to 29.01.2021. In the application form, respondent No.1 has disclosed the marks secured by him in Graduation. At the time of scrutiny of documents, respondent No.1 has produced all six semesters mark-sheet and also the consolidated mark-sheet.

9. Learned Single Judge has observed that respondent No.1 had disclosed his graduation marks in his online application form and has also produced all six semesters mark-sheet. It is on this ground that the writ petition filed by respondent No.1 has been allowed.

10. Though various submissions are advanced but the facts recorded in the order of the learned Single Judge are not shown to be factually incorrect. We have otherwise perused the Certificate of the University stating that respondent No.1 had not only passed the

graduation examination but was also issued certificate of all semester examinations on or before 29.01.2021. All such material was placed at the time of documents verification. A mere fact that the consolidated mark-sheet was issued after the cut-off date would not make any difference when the required qualification and the proof in respect thereof was in existence on the last date of making of application and had been relied upon.

11. In that view of the matter, the instant appeal fails and is accordingly **dismissed**.
12. All pending misc. application(s), if any, also stand disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

MARCH 25, 2026
Rahul Joshi

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