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

**LPA-3437-2025 (O&M)
Date of order 28.04.2026**

STATE OF HARYANA AND ANOTHER**....Appellants****Vs.****SURYA SANGWAN****....Respondent**

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

Present: Mr. Nitin Kaushal, Addl. Advocate General, Haryana, and
Mr. Saurabh Mohunta, DAG, Haryana
for the appellants.

Mr. Nazmi Waziri, Senior Advocate
(through Video Conferencing)
Mr. Gurmandeep Singh Sullar, Advocate
Mr. R.A. Iyar, Advocate
Ms. Devaki Anand Sullar, Advocate
Mr. Harmesh Kumar, Advocate
for the respondent.

ROHIT KAPOOR, J. (Oral)

The present appeal filed under clause X of the Letters Patent is directed against the judgment and order dated 29.07.2025 passed by the learned Single Judge in CWP-31692-2024, whereby the writ petition filed by the respondent-petitioner has been allowed and the rejection of her claim by the appellants for appointment to the post of Junior Coach (OSP) vide order dated 08.11.2023 (Annexure P-9), has been set aside.

2. The facts involved lie in a narrow compass.

3. The State of Haryana framed the Haryana Outstanding Sportspersons (Group A, B and C) Service Rules, 2021 (for short 'the 2021 Rules' or 'Rules') in exercise of its powers conferred by the proviso to Article 309 of the Constitution of India, for regulating the recruitment and conditions of service of persons appointed to Haryana Sportspersons (Group A, B and C) service. The stated

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intent for the enactment of the Rules was to bring objectivity and transparency in the assessment of the worth and suitability of outstanding sportspersons (for short 'OSP') in the matter of providing Government employment. The respondent who is an eminent sports person in Netball, applied for the post of Junior Coach (OSP) under the 2021 Rules, by submitting an application dated 25.01.2023 on the prescribed form, which was duly diarized on 30.01.2023. The respondent based her claim for the post upon her achievement in the 36th National Games, organized by the Indian Olympic Association in September, 2022, where she played more than 75% of the matches and while representing the State of Haryana, her team won the Gold medal. Apart from winning the above-mentioned gold medal, the respondent-petitioner consistently won gold medals at National Netball Championships held since 2018 to 2022 (except for winning Silver medal in 2019) and also represented the Republic of India in the Asian Netball Championships held in Singapore in 2022.

4. The appellants vide a letter dated 30.01.2023 sought the original certificate in proof of the Gold medal won by the respondent in the National Games, 2022, which was duly provided. Despite the fact that the factum of the respondent having won the gold medal at the 36th National Games in the discipline of Netball was duly verified, yet the appellants kept on delaying the matter on one pretext or the other. In response to a query under the Right to Information Act, respondent-petitioner was informed that out of a total of 250 vacancies, 166 posts of Junior Coach (OSP) were lying vacant. As no action was being taken, the respondent was constrained to lodge a complaint at the CM Window and also serve legal notices upon the appellants.



5. It transpires that the application of the respondent was rejected vide order dated 08.11.2023 (Annexure P-9) on the ground that she has been found ineligible due to non-fulfilment of the essential condition laid down under Rule 4(c)(ii) of the 2021 Rules, requiring representation of India in any sports tournament mentioned in Schedule I and II. Aggrieved therefrom, the respondent filed a petition under Article 32 of the Constitution of India before the Supreme Court of India. In the response filed by the appellants, although a stand was taken that the respondent is ineligible for the post in terms of the statutory Rules, however it was conceded that certain similarly situated sports persons had been given appointment on various posts. Terming such appointments to be an inadvertent mistake, it was stated that the department is in the process of issuing show cause notices to the said employees.

6. The aforementioned petition was disposed of vide order dated 25.10.2024 with liberty to the respondent to approach this Court. It is in this backdrop that the respondent-petitioner filed CWP- 31692-2024. The writ court, while entertaining the petition, ordered that one post be kept vacant. The petition was ultimately allowed by the learned Single Judge *inter-alia* on the ground that the case of the petitioner was covered under clause 4 (c) (i) and the interpretation that the requirements of both clause (i) and (ii) were required to be satisfied, would be contrary to the Rules, and would render clause (i) otiose and nugatory. While examining the eligibility conditions under Rule 8 read with the Schedules, it was held that the requirement of the sporting event to be included in the Olympic Games, was restricted only to 6 events, and therefore the respondent-petitioner was found eligible. The operative directions are extracted and reproduced as under:-



“22. Consequently, the instant writ petition is **allowed** and the impugned communication dated 08.11.2023 (Annexure P-9) is set aside. The respondent(s) are directed to re-consider the claim of the petitioner and to ascertain her eligibility in terms of Rule 4(c)(i) read with Rule 8(1) and 8(2) of the Rules of 2021, as interpreted above. Let the needful be done within a period of two months on the receipt of a certified copy of this order.

23. In case, the verification of the Sports Gradation Certificate for determining the eligibility was a pre-requisite to allow a candidate to participate in a selection/appointment process and the petitioner was not allowed to participate in the same, the petitioner shall be subjected to the same and her merit would then be determined. If on the merit so assigned, her position is above the last person already selected, an appointment letter shall be issued to the petitioner. She would be entitled to seniority and all other consequential benefits notionally with effect from the date when other persons were appointed and actually with effect from the date of actual appointment or 04 months of receipt of this order, whichever is earlier.”

7. Learned State counsel has assailed the correctness of the findings of the learned Single Judge by contending that it has committed an error in interpreting the provisions of the statutory Rules of 2021, and has ignored that the conditions prescribed under Rule 4(c)(i), (ii), Rule 8(1) and (2) and the Schedules were all required to be satisfied by the respondent, for consideration to post in question.

8. It is submitted that undisputedly the respondent did not fulfil the requirement under Rule 4(c)(ii), and since the word ‘or’ has not been used between clauses (i) and (ii), therefore, meeting both conditions was a necessary prerequisite. Attention of the Court is drawn to the provisions of Rule 8 to urge that the sporting events which were included in the Olympic games alone, are to



be considered for ascertaining eligibility, with the only exception of Circle Kabbadi. It is further contended that the respondent had submitted her application on the basis of her sports achievement i.e. gold medal in the sporting event of Netball in the 36th National Games, as well as participation in 'Asian Netball Championship' in 2022. By referring to the remarks of the departmental Committee constituted to examine the claim of the respondent, it is argued that the said achievement is not covered under serial No. 7 of Schedule II, nor the same is conducted by any recognized organizing committee, as mandated under the Rules. Doubts have also been expressed as to which organization conducted the 36th National Games. It is submitted that the respondent-petitioner having failed to establish her eligibility, the impugned judgement cannot sustain.

9. *Per contra*, learned senior counsel appearing on behalf of the respondent/petitioner while controverting the arguments raised on behalf of the appellants has submitted that the achievements of the respondent and her being an eminent sportsperson is not in dispute. It is contended that while submitting the application for appointment, the petitioner based her claim on her achievement in the National Games and not in the Asian Championship, as wrongly construed by the appellants. The fact that the National Games are conducted by the Indian Olympic Association (IOA), and is included in Schedule II, is not in dispute. Submission is that the rejection of the claim of the respondent-petitioner, is a result of gross misinterpretation of the statutory Rules, as held by the learned Single Judge. It is urged that the appellants have deliberately been delaying the appointment of respondent-petitioner, on one pretext or the other, despite her fulfilling all requirements under the Rules. Learned senior counsel has emphatically argued that despite having conceded that similarly situated sports



persons have already been appointed, yet the appellants are selectively resisting the claim of the respondent-petitioner in a discriminatory manner.

10. We have heard the learned counsel for the parties and have gone through the material available on record with their able assistance.

11. Before dwelling upon the rival contentions raised by the parties, it is necessary to extract the relevant provisions of the 2021 Rules, which are reproduced as under:-

“PART-II RECRUITMENT TO SERVICE

4. No person shall be appointed to any post in the Service, unless he:

(a) is a citizen of India;

(b) is a resident of Haryana possessing a Resident Certificate issued by the concerned authority;

(c) (i) has represented the State of Haryana at the national level or has represented the Central Government or any Central Public Sector Undertaking, at National level tournament;

(ii) has represented India in any sports tournament as mentioned in Schedule-I and Schedule-II.

8. (1) The name of a person shall be considered for appointment to a post, in case of an individual event as per provision in Schedule-I and in case of a team event as per provision in Schedule-II of these rules, subject to fulfillment of other conditions of eligibility:

Provided that in the case (a) 4 Years World Cup/Championship, (b) World Cup/Championship (Less than 4 Years), (c) 4 Years Asian Championship, (d) World University Games, (e) Special Olympics, (f) Deaflympics/4 Years deaf World Cup/Championship/4 Years Para World Cup/Championships, sports events only included in the Olympic Games shall be considered, except Circle Kabaddi.

(2) In case of a team event, a person shall be considered for appointment to a post as per Schedule-II, provided that he has participated in not less than fifty percent of the matches played by the team in that tournament.

(3) to (5) xxx xxx xxx



Schedule II
{see Rule 8(1)}
(TEAM EVENT)

Sr. No.	Tournament	Organizing Authority	Medal Winner			
			Gold	Silver	Bronze	Participation
1.	Olympic Games	IOC	Group A	Group A	Group B	Group C
	Paralympics	IPC	Group B	Group B	Group B	--
2.	Asian Games	OCA	Group B	Group B	Group C	Group C
	Asian Para Games	APC	Group C	Group C	Group C	---
3.	4- year World Cup/ Championship (Sports events included in the Olympic Games only)	International Federation of concerned game recognized by IOC	Group B	Group B	Group C	Group C
4.	World Championship (Less than 4 years) (Sports events included in the Olympic Games only)	International Federation of concerned game recognized by IOC	International Federation of concerned game recognized by IOC	International Federation of concerned game recognized by IOC	International Federation of concerned game recognized by IOC	Nil
5.	Commonwealth Games	CGF	Group C	Group C	Group C	Nil
	Commonwealth Para games	CGF	Group C	Group C	--	Nil
6.	World University Games (Sports events included in Olympic Games)	IUSF	--	--	--	Nil
7.	4-years Asian Championship (Sports events included in Olympic Games only)	Asian Federation of concerned game affiliated to OCA or International Federation recognized by IOC	Group C	Group C	Group C	Nil
8.	Special Olympics (Sports events included in Olympic Games only)	Only those which are recognized by IOC	Group C	Group C	Group C	Nil
9.	Deaflympics/4 years World Cup/Championship/Circle Kabaddi 4 years Asian Championship (Sports events included in Olympic Games only)	ICSD	Group C	Group C	Group C	Nil
10.	South Asian Games	SAGF	Group C	---	---	Nil
11.	4-year Blind Cricket World Cup	WBCC	---	---	---	Nil
12.	Ranji Trophy (Cricket)	BCCI	Group C	Nil	Nil	Nil
13.	4 years World Cup/2 years Asian Championship (Circle Kabaddi)	International Kabaddi Federation	Group C	Group C	Nil	Nil
14.	National Games	IOA	Group C	Group C	Group C	Nil



12. The core issue arising for adjudication is whether respondent-petitioner fulfills the eligibility criteria in terms of the 2021 Rules.

13. The appellants have argued that the respondent does not satisfy the conditions stipulated under clause 4 (c) (ii), inasmuch as she has not represented 'India' in any sports tournament mentioned in Schedule I and II and meeting the requirement under both sub-clause (i) & (ii), is essential. Having carefully examined the provisions of the 2021 Rules, we are of the considered opinion that the said argument cannot be countenanced. The said contention is premised only on the ground that the word '*or*' does not find mention between the two sub-clauses, and since they are separated with a '*semicolon*' as is the case in clause (a), (b), and (c), the same would have to be read as the word '*and*', and all conditions stipulated in Rule 4 are required to be satisfied. This interpretation, in our opinion, is inherently flawed, for the reason that it would run counter to the overall scheme and object of the Rules, as it would result in ousting all outstanding sportspersons in several of the sporting events mentioned in the schedules attached to the 2021 Rules, such as Ranji Trophy and National Games, as no sportsperson can possibly represent 'India' in the said sporting events. That cannot possibly be the legislative intent, else there was no requirement of including such sporting events in the Schedules in the first place. It is a well settled proposition of statutory interpretation that no particular provision is to be read in isolation and all provisions are to be read in conjunction with each other, to give a harmonious construction.

14. The second argument of the appellants regarding ineligibility of the respondent on the ground that Netball is not a sporting event included in the Olympic Games, as per the mandate of Rule 8, is equally without merit and



deserves to be rejected, primarily for the same reason. Perusal of proviso to Rule 8 (1) read with Schedule I and II would make it abundantly clear that the requirement of the sporting events to be included in the Olympic games, is restricted only to the Games and Championships mentioned in (a) to (f) of the said proviso. Any ambiguity that may possibly exist after reading the proviso, would get cleared while reading entries in second column of the Schedules under the heading 'Tournament', where it is clearly specified that requirement of being a sporting event included in the Olympics, is restricted to the six games/championships mentioned in (a) to (f). Perusal of the Games and Championships included in the Schedules attached to the Rules would show that there are several sporting events included therein, that might not be included in the Olympics. The learned single judge has noticed that out of the 56 games included in the National Games, only 29 are recognized or played in Olympics. Therefore the interpretation sought to be given by the appellants would run counter to the Schedules itself, wherein it is clearly reflected that in case of winning a medal/participation, even in the Games/Championships where sporting events are not required to be included in Olympics, the applicants would be eligible to apply for the category of posts mentioned the particular columns. We are in respectful agreement with the observations and findings of the learned Single Judge, who has applied the 'Golden Rule' of statutory interpretation in this regard.

15. Adverting to the next argument of the appellants, as regards the achievement of the respondent-petitioner in the Asian Championship not fulfilling the requirements under Rule 8(1) and not being a sporting event as defined under serial No.7 of Schedule II, as well as the objection that it is not

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organized by any recognized organizing authority, we are of the considered view that the argument is bereft of any merit. Perusal of the application form (Annexure P-3) would clearly show that the respondent had based her claim upon her achievement of winning gold medal in the 36th National Games organized by the Indian Olympic Association. The mere fact that she additionally attached a participation certificate in the Asian Championship, cannot be taken as a ground to test her eligibility on the strength of such additional certificate. As per the information required to be filled against Sr. No.13 of the prescribed application form, a candidate is to specify his/her 'best sports achievement' and is required to enclose the certificate in support thereof. Under the said column, the respondent mentioned her achievement as Gold Medal in the 36th National Games, and rightly so. Winning of a gold medal in the National Games would definitely be the better sports achievement than a participatory certificate in an Asian Championship. National Games otherwise finds mention at Sr. No. 14 of the Schedule II, which pertains to Team Events. There is no dispute about her fulfilling all other requirements, and therefore Asian Netball Championship not finding mention at serial no.7 of Schedule II is of no consequence. Records reveal that the certificate of merit pertaining to the 36th National Games has been issued by the Indian Olympic Association, and perusal of the schedules would also show that the organizing authority for the National Games is the IOA and therefore there possibly cannot be doubt regarding the same being organized by a recognized authority. We, therefore, find force in the submissions made by the learned senior counsel for the respondent/petitioner that she fulfills all eligibility requirements under the statutory Rules and is entitled for being considered for appointment to the post in question.



16. Before parting, we would like to notice that although the appellants had conceded that similarly situated sports persons were appointed, however a stand was taken that show cause notices have been issued to all such appointees, and consequential action is proposed. Despite lapse of almost two years since such stand was taken before the Supreme Court and notwithstanding grant of numerous opportunities by this Court, the appellants have failed to place any material on record, in this regard. Learned State Counsel has only submitted that the matter is still under active consideration of the State Government. We find that such selective interpretation of the Rules to appoint a chosen few, while rejecting the claim of the respondent, to be *ex-facie* arbitrary and discriminatory.

17. Be that as it may, in view of the reasons recorded above, we do not find any illegality or perversity in the judgment and order dated 29.07.2025 passed by the learned Single Judge. As a result thereof, the instant appeal must fail and is **dismissed** accordingly.

18. Pending applications, if any, shall stand disposed of accordingly.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

28.04.2026
Mohit goyal

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No