

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).3263/2023

(Arising out of impugned final judgment and order dated 12-01-2023 in LPA No.1928/2019 passed by the High Court Of Punjab & Haryana At Chandigarh)

TARSEM SHARMA & ORS.

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

(IA No. 257827/2023 - CLARIFICATION/DIRECTION)

Date : 15-12-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mr. P.S. Patwalia, Sr. Adv.
Mr. Pradeep Gupta, Adv.
Mr. Parinav Gupta, Adv.
Mrs. Mansi Gupta, Adv.
Dr. Vipin Gupta, Adv.
Mr. Amit Verma , AOR

For Respondent(s) Mr. Lokesh Sinhal, Sr. A.A.G.
Dr. Monika Gusain, AOR

Mr. Shalender Mohan Singh, Adv.
Mr. Manoj Makker, Adv.
Mr. Shafik Ahmed, Adv.
Ms. Anju, Adv.
Mr. Danish Saifi, Adv.
Mr. Padhmanabha Raja K.R., Adv.
Mr. Chandra Bhushan Tiwari, Adv.
Mr. V. Elanchezhiyan, AOR
Ms. Shivani Jena, Adv.

Mr. Jitesh Malik, Adv.
Mrs. Banali Basak, Adv.
Ms. Beena, Adv.
Mr. Budha Deo Prasad, Adv.
Mr. Gopal Das Verman, Adv.
Mr. Satish Kumar, AOR

Mr. Narender Hooda, Sr. Adv.
Mr. Jasbir Singh Malik, Adv.
Ms. Chandni Sharma, Adv.
Mr. Varun Punia, AOR

UPON hearing the counsel the Court made the following
O R D E R

IA No.257827/2023

1. The Haryana Staff Selection Commission has moved this application seeking clarification of the order dated 17.10.2023, in terms whereof, it was directed to prepare a common merit list of the candidates comprising; (i) Those who were eligible even prior to 23.06.2017 and have already been placed in the selection list; (ii) the candidates having qualification of *Shiksha Shastri*, who were earlier claiming eligibility on the basis of the Government circulars and in any case became eligible as a result of the amendment in the Rules on 23.06.2017.

2. The Commission has now informed that some of the candidates, having qualification of *Shiksha Shastri*, have not been interviewed so far and are yet to be selected.

3. That being so, the order dated 17.10.2023 is modified/clarified in the following terms:

(i) Let the remaining candidates having qualification of *Shiksha Shastri* be interviewed at the earliest and in any case within two weeks.

(ii) If the State Government and the Staff Selection Commission are satisfied that the candidates possessing the qualification of *Acharya* are also eligible, let they be also interviewed within the stipulated period.

(iii) A Common Selection List may be prepared without determining *inter se* merit of the candidates belonging to the three categories referred to above. However, a Common Selection List for the purpose of provisional appointments be prepared.

4. The order of placement in the said Selection List shall be as follows:

(i) The candidates, who were eligible prior to 23.06.2017, may first be accommodated.

(ii) Immediately below them, the candidates having qualification of *Shiksha Shastri*, be adjusted.

(iii) The candidates having the qualification of *Acharya* may also be adjusted below the candidates having *Shiksha Shastri* qualification.

5. The combined Selection List in the above-mentioned order may be notified for the purpose of provisional appointments.

6. The provisional appointments shall be subject to the outcome of these proceedings, where the question of *inter se* merit of the candidates will be determined.

7. Appointments are directed to made against all the advertised posts and such anticipated vacancies which the State Government may decides to fill up to resolve the long pending controversy.

8. Interlocutor application is, accordingly, disposed of.

9. Post the matter on the notified date i.e., 23.01.2024.

(ARJUN BISHT)
COURT MASTER (SH)

(PREETHI T.C.)
COURT MASTER (NSH)