

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).18321/2011  
(From the judgment and order dated 03/02/2011 in LPA No.65/2007 of The  
HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

ANOOP KUMAR & ANR Petitioner(s)

VERSUS

STATE OF HARYANA & ORS. Respondent(s)

(With prayer for interim relief and office report)

Date: 11/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR  
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s) Mr. P.S. Patwalia, Sr. Adv.  
Mr. Ashok K. Mahajan, Adv.

For Respondent(s) Mr. Manjit Singh, Adv.  
Mr. Vikash Sharma, Adv.  
for Ms. Naresh Bakshi, Adv.

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

There seems to be apparent conflict between the stand taken by the respondents in the written statement filed in the High Court and the counter affidavit filed in the present proceedings. In the written statement filed before the High Court, it was categorically stated that the Board is empowered to grant the grace marks. The grant of grace marks had been recommended for the two petitioners herein, in exercise of its power under the Rules. In the counter affidavit filed

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in the present proceedings, it is stated that Rule 3.8 relied upon by the petitioners is actually not applicable to the recruitment on the post of Sub-Inspector but applies only to the post of Probationary Prosecuting Sub-Inspectors. In order to verify the correct position, in our opinion, it is necessary to examine the whole compendium of the Rules. Mr. Manjit Singh, learned counsel appearing for the respondent-State seeks a short adjournment to produce the Rules for the examination of this Court. We also make a note of the submission made by Mr. P.S. Patwalia, learned Senior Counsel appearing for the petitioners that the submissions made by the State in the present proceedings are without any foundation and factual basis.

In view of the above, the matter is adjourned till 20th September, 2013.

| (VINOD LAKHINA)  
| COURT MASTER

| | (INDU BALA KAPUR)  
| | COURT MASTER

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