

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

RA-LP-19-2024 (O&M)  
with CM-8892-LPA-2025, CM-7318-LPA-2025  
CM-4924-LPA-2025, CM-3718-LPA-2024 & CM-3951-LPA-2024  
in LPA-1063-2025

2026:PHHC:048413-DB



*Reserved on :16.01.2026*  
*Date of decision : 27.03.2026*  
*Date of Uploading: 27.03.2026*

*GURVIND KUMAR ANR ORS.* .....*Appellant(s)*

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND ORS.*  
.....*Respondent(s)*

2. RA-LP-22-2024 WITH CM-3759-LPA-2024  
in LPA-1037-2023

*VIRENDER KUMAR AND ORS* .....*Appellant(s)*

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND ORS*  
.....*Respondent(s)*

3. RA-LP-23-2024 in LPA-1037-2023

*IRFAN SHEKHU AND ORS* .....*Appellant(s)*

*V/S*

*HARYANA STAFF SELECTION COMMISSION ANR ORS*  
.....*Respondent(s)*

**4. RA-LP-24-2024 WITH CM-3727-LPA-2024  
in LPA-1037-2023**

*ABHILASHA AND ORS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND ORS*  
.....Respondent(s)

**5. RA-LP-25-2024 WITH CM-3757-LPA-2024  
in LPA-1037-2023**

*RAJBALA AND OTHERS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**6. RA-LP-26-2024 WITH CM-3724-LPA-2024  
in LPA-1037-2023**

*SUSHIL KUMAR AND OTHERS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**7. RA-LP-29-2024 in LPA-1037-2023**

*TARSEM KUMAR AND ORS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND ANR*  
.....Respondent(s)

**8. RA-LP-28-2024 in LPA-1037-2023**

*ROHIT AND ORS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**9. CM-3707-LPA-2024 in/and RA-LP-30-2024**

*ABHIMANYU AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**10. CM-3716-LPA-2024 , CM-3949-LPA-2024,  
CM-5059-LPA-2024 in/and RA-LP-31-2024  
in LPA-1037-2023**

*PINKI AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**11. CM-3719-LPA-2024 in/and RA-LP-32-2024  
in LPA-1037-2023**

*AJAY KUMAR AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**12. CM-3723-LPA-2024 in/and RA-LP-33-2024  
in LPA-1037-2023**

*RAVI KUMAR AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND ORS*  
.....Respondent(s)

**13. CM-3728-LPA-2024 in/and RA-LP-34-2024  
in LPA-1037-2023**

*BHUPENDER SINGH AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**14. CM-3733-LPA-2024 in/and RA-LP-35-2024  
in LPA-1037-2023**

*VIKRAM AND ORS* .....Appellant(s)  
V/S  
*HARYANA STAFF SELECTION COMMISSION AND ORS*  
.....Respondent(s)

**15. CM-3752-LPA-2024 in/and RA-LP-36-2024  
in LPA-1037-2023**

*AASTHA AND OTHER* .....Appellant(s)  
V/S  
*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**16. CM-3773-LPA-2024 in/and RA-LP-37-2024  
in LPA-1037-2023**

*PARDEEP KUMAR AND OTHERS* .....Appellant(s)  
V/S  
*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**17. CM-3782-LPA-2024 in/and RA-LP-38-2024  
in LPA-1037-2023**

*RAHUL AND OTHERS* .....Appellant(s)  
V/S  
*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**18. CM-3798-LPA-2024 in/and RA-LP-40-2024  
in LPA-1037-2023**

*NISHA DEVI AND OTHERS* .....Appellant(s)  
V/S  
*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**19. CM-4580-LPA-2024 in/and RA-LP-57-2024  
in LPA-1037-2023**

*ANUPMA DEVI AND ORS* .....Appellant(s)

*V/S*

*HARYANA TAFF SELECTION COMMISSION AND ORS*  
.....Respondent(s)

**20. CM-6770-LPA-2025, CM-214-LPA-2025,  
CM-4913-LPA-2024, CM-4914-LPA-2024  
& CM-4964-LPA-2024 in/and RA-LP-41-2024  
in LPA-1037-2023**

*SONU VERMA AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**21. RA-LP-42-2024 with CM-3820-LPA-2024  
in LPA-1037-2023**

*ASHOK KUMAR AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**22. CM-3821-LPA-2024 in/and RA-LP-43-2024  
in LPA-1037-2023**

*SURENDER AND ORS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND ORS*  
.....Respondent(s)

**23. CM-3918-LPA-2024 in/and RA-LP-44-2024  
in LPA-1037-2023**

*AJAY KUMAR AND ORS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....Respondent(s)

**24. CM-3940-LPA-2024 in/and RA-LP-46-2024  
in LPA-1037-2023**

*JAGJEET AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**25. CM-3923-LPA-2024 & CM-6769-LPA-2025  
in/and RA-LP-45-2024 in LPA-1037-2023**

*BHAJAN LAL AND ORS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**26. CM-3794-LPA-2024 in/and RA-LP-39-2024  
in LPA-1037-2023**

*MOHAMMAD KALIM AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**27. CM-3950-LPA-2024 & CM-5121-LPA-2024  
in/and RA-LP-47-2024 in LPA-1037-2023**

*RAJNI AND ORS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**28. CM-3955-LPA-2024 in/and RA-LP-48-2024  
in LPA-1037-2023**

*SUNITA RANI AND ORS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND ORS*

.....Respondent(s)

**29. CM-4456-LPA-2024 in/and RA-LP-54-2024  
in LPA-1037-2023**

*RAJAT SHARMA AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**30. CM-3990-LPA-2024 in/and RA-LP-49-2024  
in LPA-1037-2023**

*ANSHU* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**31. CM-4054-LPA-2024 in/and RA-LP-51-2024  
in LPA-1037-2023**

*MAUSAM KUMAR AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**32. RA-LP-50-2024 in LPA-1037-2023**

*SUDAMA AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**33. CM-4571-LPA-2024 IN/AND RA-LP-56-2024  
in LPA-1037-2023**

*BHISHAM AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**34. CM-4839-LPA-2024 IN/AND RA-LP-63-2024  
in LPA-1037-2023**

SONU AND ANOTHER .....Appellant(s)

V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS

.....Respondent(s)

**35. CM-4861-LPA-2024 IN/AND RA-LP-64-2024  
in LPA-1037-2023**

YOGESH KUMAR AND OTHERS .....Appellant(s)

V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS

.....Respondent(s)

**36. CM-4971-LPA-2024 IN/AND RA-LP-65-2024  
in LPA-1037-2023**

VIKAS AND OTHERS .....Appellant(s)

V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS

.....Respondent(s)

**37. CM-6713-LPA-2024 IN/AND RA-LP-81-2024  
in LPA-1037-2023**

SAHDEV KUMAR AND OTHERS .....Appellant(s)

V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS

.....Respondent(s)

**38. CM-6584-LPA-2024 IN/AND RA-LP-80-2024  
in LPA-1037-2023**

RAJNI BALA AND OTHERS .....Appellant(s)

V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS

.....Respondent(s)

**39. CM-1220-LPA-2025, CM-7548-LPA-2025  
& CM-7342-LPA-2025 IN/AND RA-LP-11-2025  
in LPA-1037-2023**

SACHIN .....Appellant(s)  
V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS  
.....Respondent(s)

**40. CM-2126-LPA-2025 & CM-3758-LPA-2024  
IN/AND RA-LP-27-2024 in LPA-1037-2023**

RAMDAS SHARMA AND OTHERS .....Appellant(s)  
V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS  
.....Respondent(s)

**41. CM-2292-LPA-2025 IN/AND RA-LP-15-2025  
in LPA-1037-2023**

ABHISHEK AND OTHERS .....Appellant(s)  
V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS  
.....Respondent(s)

**42. CM-3364-LPA-2025 IN/AND RA-LP-25-2025  
in LPA-1037-2023**

UDYAVIR AND OTHERS .....Appellant(s)  
V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS  
.....Respondent(s)

**43. CM-3487-LPA-2025 IN/AND RA-LP-27-2025  
in LPA-1037-2023**

NISHANT GILL AND OTHERS .....Appellant(s)  
V/S

HARYANA STAFF SELECTION COMMISSION AND OTHERS  
.....Respondent(s)

**44. CM-3498-LPA-2025 & CM-3499-LPA-2025  
IN/AND RA-LP-28-2025 in LPA-1037-2023**

*NIKHIL AND OTHERS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**45. CM-5036-LPA-2024 IN/AND RA-LP-66-2024  
in LPA-1037-2023**

*PARVEEN KUMAR AND OTHERS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**46. CM-7505-LPA-2025 IN/AND RA-LP-73-2024  
in LPA-1037-2023**

*ABHINAV AND OTHERS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**47. CM-4656-LPA-2024 IN/AND RA-LP-58-2024  
in LPA-1037-2023**

*GAURAV KADIAN AND OTHERS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**48. CM-6759-LPA-2024 in/and RA-LP-82-2024  
in LPA-1037-2023**

*AMAN DEEP AND OTHERS* .....Appellant(s)

V/S

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**49. CM-4158-LPA-2025 in/and RA-LP-45-2025**  
**in LPA-1037-2023**

*SONIKA AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**50. CM-4137-LPA-2025 in/and RA-LP-43-2025**  
**in LPA-1037-2023**

*SATIRA AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**51. CM-4138-LPA-2025 in/and RA-LP-44-2025**  
**in LPA-1037-2023**

*YOUNUS KHAN AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**52. CM-4134-LPA-2025 in/and RA-LP-42-2025**  
**in LPA-1037-2023**

*DINESH KUMAR AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**53. CM-4001-LPA-2025 in/and RA-LP-38-2025**  
**in LPA-1037-2023**

*NIRMALA RANI AND OTHERS* .....Appellant(s)

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*

.....Respondent(s)

**54. CM-3957-LPA-2025 in/and RA-LP-37-2025  
in LPA-1037-2023**

*VEENA RANI AND OTHERS* .....*Appellant(s)*

*V/S*

*HARYANA STAFF SELECTION COMMISSION AND OTHERS*  
.....*Respondent(s)*

**55. CM-10871-CWP-2024 & CM-10872-CWP-2024  
in/and RA-CW-290-2024 IN CWP-1563-2024**

*SUKRITI MALIK* .....*Petitioner(s)*

*V/S*

*HARYANA STAFF SELECTION COMMISSION* ....*Respondent(s)*

**56. CM-11394-CWP-2024 & CM-11393-CWP-2024  
in/and RA-CW-296-2024 IN CWP-1563-2024**

*SUKRITI MALIK* .....*Petitioner(s)*

*V/S*

*STATE OF HARYANA AND OTHERS* .....*Respondent(s)*

**57. RA-CW-323-2024 with CM-13106-CWP-2024  
IN CWP-1563-2024**

*SUKRITI MALIK* .....*Petitioner(s)*

*V/S*

*STATE OF HARYANA AND OTHERS* .....*Respondent(s)*

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA  
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. D.S. Patwalia, Senior Advocate  
Mr. A.D.S. Chadha, Advocate  
Ms. Rishu Bajaj, Advocate for the review-applicants  
in RA-LP-48-2024, RA-LP-48-2025 and RA-LP-66-2024.

Mr. Chetan Mittal, Senior Advocate assisted by  
Mr. Ravinder Singh Dhull, Advocate,  
Mr. Ritvik Garg, Advocate,  
for the applicant in RA-LP-44-2024.

Mr. Rajiv Atma Ram, Senior Advocate, assisted by  
Mr. Brijesh Khosla, Advocate,  
Ms. Shreya Kaushik, Advocate,  
Ms. Ananya Kalia, Advocate  
Ms. Shifali Bahia, Advocate,  
for the review applicant in RA-LP-41-2024.

Mr. Akshay Bhan, Senior Advocate, assisted by  
Mr. A.S. Talwar, Advocate,  
Mr. Abhijeet Singh Rawaley, Advocate,  
for the applicants in CMs No. 215, 7342 & 7348 all of 2025.

Mr. Ayush Gupta, Advocate,  
Mr. R.S. Dhull, Advocate and  
Mr. Navnit Sharma, Advocate,  
Mr. Rajat Mor, Advocate for the review-applicant in  
RA-LP-82-2024, RA-LP-41-2024, RA-LP-15-2024,  
RA-LP-28-2025, RA-LP-45-2025, RA-LP-38-2025,  
RA-LP-37-2025 and RA-LP-81-2025.

Mr. Mandeep Singh Lamba, Advocate,  
for the applicant in CM-5059-LPA-2024 in RA-LP-31-2024.

Mr. K.D.S. Hooda, Advocate for the respondent/applicant.  
Mr. Sube S. Kaushik, Advocate for the review-applicant  
in CM-5121-2024 in RA-LP-47-2024.

Mr. Madhav Gupta, Advocate, and  
Mr. Amandeep Singh, Advocate,  
for respondent No.41-in RA-LP-19-2024.  
Mr. R.K. Malik, Senior Advocate with  
Mr. Varun Veer Chauhan, Advocate and  
Mr. Samrat Malik, Advocate,  
for the petitioner in RA-LP-296-2023.

Mr. Anurag Goyal, Advocate, and  
Mr. Nikhil Lather, Advocate,  
for the review-applicants in RA-LP-31-2024.

Mr. Sandeep Kumar, Advocate,  
for the review-applicants/respondents No.5 and 6  
in CM-13106-CWP-2024 and RA-CW-323-2024  
in CWP-1563-2024.

Mr. Rajat Khanna, Advocate with  
Mr. Vijay Pratap Singh, Advocate and  
Mr. Balwan Singh, Advocate  
for the applicant in RA-LP-63-2024.

Mr. Pardeep Sharma, Advocate  
for the review-applicant  
in RA-LP-50-2024 in LPA-1037-2023.

Mr. Ankur Sidhar, Advocate  
for the review applicant  
in RA-LP-19, 22 to 27 of 2024 in RA-LP-25-2025.

Mr. Deepak Jaglan, Advocate,  
for the review applicant in RA-LP-27-2025.

Mr. Pankaj Mohan Kansal, Advocate, for  
Mr. V.K. Kaushal, Advocate  
for the review applicant in RA-LP-51-2024.

Mr. Rajesh Nain, Advocate, and  
Mr. Baljeet Nain, Advocate, for the review-applicant  
in RA-LP-43-2024 in LPA-1037-2023.

Mr. Rupinder Khosla, Senior Advocate, assisted by  
Mr. Yogender Verma, Advocate,  
Mr. Chanderhas Yadav, Advocate  
for the review applicant/respondent No.41 in RA-LP-19-2024.

Mr. Rajesh Sehgal, Advocate  
for the review applicant in RA-LP-58-2024.

Mr. Nikhil Lather, Advocate for  
Mr. Anurag Goyal, Advocate  
for the review applicant in RA-LP-31-2024.

Mr. Ravinder Bangar, Advocate and  
Ms. Anjali Bangar, Advocate  
for the review-applicants(s) in RA-290-LP-2024.

Ms. Monika Sangwan, Advocate and  
Mr. Vikas Sangwan, Advocate  
for the applicant-petitioner in CM-1220-LPA-2025.

Mr. Pravindra Singh Chauhan, Advocate General, Haryana,  
assisted by Mr. Sanjeev Kaushik, Addl. A.G., Haryana and  
Ms. Manreet Kaur, Advocate,  
Ms. Amisha Rana, Advocate, and  
Mr. Divyanshu Kaushik, Advocate.

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**ASHWANI KUMAR MISHRA, J. (Oral)**

***Miscellaneous Applications filed on behalf of the parties in the following review applications:-***

<i>S.No</i>	<i>Review(s)</i>	<i>Impleadment</i>	<i>Delay in filing/re-filing Review(s)</i>	<i>Placing on record</i>
	<b>II</b>	<b>III</b>	<b>IV</b>	<b>V</b>
1.	RA-LP-19 -2024	CM-3718-LPA- 2024		CMs 8892, 4924, 7318-LPA-2025 (by intervenors) &

				3951-LPA-2025 & 215-LPA-2025
2.	RA-LP-22-2024	CM-3759-LPA-2024		
3.	RA-LP-24-2024	CM-3727-LPA-2024		
4.	RA-LP-25-2024	CM-3757-LPA-2024		
5.	RA-LP-26-2024	CM-3724-LPA-2024		
6.	RA-LP-29-2024			
7.	RA-LP-27-2024	CM-2126-LPA- 2025 & CM-3758-LPA-2024		
8.	RA-LP-30-2024		CM-3707-LPA-2024	
9.	RA-LP-31-2024		CM-3716-LPA-2024	
10.	RA-LP-32-2024		CM-3719-LPA-2024	
11.	RA-LP-33-2024		CM-3723-LPA-2024	
12.	RA-LP-34-2024		CM-3728-LPA-2024	
13.	RA-LP-35-2024		CM-3733-LPA-2024	
14.	RA-LP-36-2024		CM-3752-LPA-2024	
15.	RA-LP-37-2024		CM-3773-LPA-2024	
16.	RA-LP-38-2024		CM-3782-LPA-2024	
17.	RA-LP-57-2024		CM-4580-LPA-2024	
18.	RA-LP-40-2024		CM-3798-LPA-2024	
19.	RA-LP-41-2024		CM-3815-LPA-2024	CMs 4913-LPA-2024, 214 & 6770-LPA of 2025
20.	RA-LP-42-2024	CM-4914-LPA-2024	CM-3820-LPA-2024	
21.	RA-LP-43-2024		CM-3821-LPA-2024	
22.	RA-LP-44-2024		CM-3918-LPA-2024	
23.	RA-LP-45-2024		CM-3923-LPA-2024	CM-6769-LPA-2025
24.	RA-LP-46-2024		CM-3940-LPA-2024	
25.	RA-LP-39-2024		CM-3794-LPA-2024	
26.	RA-LP-47-2024		CM-3950-LPA-2024	
27.	RA-LP-48-2024		CM-3955-LPA-2024	
28.	RA-LP-54-2024		CM-4456-LPA-2024	
29.	RA-LP-49-2024		CM-3990-LPA-2024	
30.	RA-LP-51-2024		CM-4054-LPA-2024	
31.	RA-LP-50-2024			
32.	RA-LP-56-2024		CM-4571-LPA-2024	
33.	RA-LP-58-2024		CM-4656-LPA-2024	
34.	RA-LP-66-2024		CM-5036-LPA-2024	
35.	RA-LP-63-2024		CM-4339-LPA-2024	
36.	RA-LP-73-2024		CM-5586-LPA of 2024	CMs 7505, 7319 and 7169-LPA of 2025
37.	RA-LP-64-2024		CM-4861-LPA-2024	
38.	RA-LP-65-2024		CM-4971-LPA-2024	
39.	RA-CW-290-2024 in CWP 1563 of 2024	CM-10871-CWP-2024		
40.	RA-323-2024 in CWP No. 1563 of 2024	CM-13106-CWP-2024		
41.	RA-LP-80-2024		CM-6584-LPA-2024	
42.	RA-LP-82-2024		CM-6759-LPA-2024	
43.	RA-LP-11-2025		CM-1220-LPA-2025	
44.	RA-LP-15-2025		CM-2292-LPA-2025	
45.	RA-LP-25-2025		CM-3364-LPA-2025	
46.	RA-LP-27-2025		CM-3487-LPA-2025	
47.	RA-LP-28-2025		CM-3499-LPA-2025 (filing) CM-3498-LPA-2025 (re-filing)	
48.	RA-LP-45-2025		CM-4158-LPA-2025	
49.	RA-LP-43-2025		CM-4137-LPA-2025	
50.	RA-LP-44-2025		CM-4138-LPA-2025	
51.	RA-LP-42-2025		CM-4134-LPA-2025	
52.	RA-LP-38-2025		CM-4001-LPA-2025	
53.	RA-LP-37-2025		CM-3957-LPA-2025	
54.	RA-LP-81-2024		CM-6713-LPA-2025	

**Delay Applications (mentioned at Column No.IV)**

These applications filed on behalf of the applicants seeking condonation of delay in filing/re-filing of the review applications (mentioned at Column No.II).

For the reasons mentioned in the applications, the same are **allowed** and delay in filing/re-filing of the review applications is condoned.

**Applications for impleadment (mentioned at column No.III)**

For the reasons mentioned in the applications, the same are **allowed** and the applicants, who have filed review applications in appeal, are impleaded as appellants in the main appeal being LPA-1037-2023. The applicants, who have filed review applications in writ petition, are impleaded as petitioners in the writ petition being CWP No.1563 of 2024. Registry is directed to do the needful.

**Applications for placing on record (mentioned at Column No.V)**

For the reasons enumerated in the applications, the same are allowed and the documents annexed with the applications are taken on record.

**Applications for impleadment as intervenors**

**CM-7342-LPA-2025 & CM-7548-LPA-2025 in RA-LP-19-2024**  
**CM-5059-LPA-2024 & CM-3949-LPA-2024 in RA-LP-31-2024**  
**CM-5121-LPA-2024 in RA-LP-47-2024**  
**CM-4964-LPA-2025 in RA-LP-11-2025**

Applicants, in these applications, have already been heard in detail as intervenors.

Accordingly, the CMs stand disposed of.

**Review applications**

1. By this common order, 57 review applications are being disposed of, out of which 54 review applications arise out of LPA No.1037 of

2023 and 3 review applications arise out of CWP No.1563 of 2024. LPA No. 1037 of 2023 and CWP No.1563 of 2024, along with other connected matters, were earlier decided by the Division Bench of this Court by a common judgment dated 31.05.2024.

2. The present review applications have been filed seeking review of the final judgment dated 31.05.2024 passed in CWP No.1563 of 2024 (leading case) and other connected cases and LPA No.1037 of 2023, insofar as it has set aside the selection of the review applicants who were appointed to different posts across various Groups. The principal contention raised in these review applications is that directing a fresh selection by re-examination of the same set of candidates would be a futile exercise, inasmuch as all Common Eligibility Test (for short, '*CET*') qualified candidates who had applied for the posts have already appeared in the CET-II and no candidate was excluded from consideration.

3. Before advertng to the merits of the controversy, it is necessary to recapitulate the relevant factual background.

4. The State of Haryana issued a notification dated 05.05.2022, whereby a policy governing recruitment to Group-C and Group-D posts through the Common Eligibility Test (*CET*), 2022 was notified. As per the said policy, the CET was to be conducted for Group-C and Group-D posts by the Haryana Staff Selection Commission (for short, '*the Commission*') or any other agency as may be decided by the Government of Haryana. The marks obtained by a candidate in the CET were described as "CET Marks".

5. Candidates qualifying the CET were further entitled to claim weightage under the socio-economic criteria, if claimed and found admissible. Such admissible weightage was to be added to the CET marks,

and the aggregate so obtained was described as the “CET Score”. The *inter se* merit of the candidates was to be determined on the basis of the CET Score.

6. Pursuant to it, the Commission issued Advertisement No. CET-1/2022 dated 17.06.2022 for conducting the CET-I, which was held on 05/06.11.2022. It included ‘401’ different posts included in ‘63’ groups. The result thereof was declared on 10.01.2023, announcing the CET Score of the candidates. Thereafter, on 01.02.2023, the Commission issued a public notice stipulating that candidates who had wrongly claimed marks under the socio-economic criteria and whose claims had been erroneously allowed must withdraw such claims, failing which their candidature would be rejected.

7. Subsequently, Advertisement No. 3/2023 dated 07.03.2023 was issued for the CET-Mains Examination (for short, ‘CET-II’).

8. The merit list prepared on the basis of the CET Score was challenged before this Court by filing CWP No.13370 of 2023, titled **Rahul v. State of Haryana**, *inter alia* contending that the respondent-Commission was proceeding with the selection in the written stage examination pursuant to Advertisement dated 07.03.2023 without redressing the grievance that weightage under the socio-economic criteria had been granted to ineligible candidates, thereby causing prejudice to the petitioners. The said writ petition was disposed of on 24.07.2023 on the basis of an undertaking given by the State that a revised final CET result would be declared within a period of 2–3 weeks and only thereafter would the selection process pursuant to Advertisement dated 07.03.2023 be initiated. On 25.07.2023, the respondents published a revised CET Score and fixed the dates of the CET-II under Advertisement dated 07.03.2023 as 05/06.08.2023 for Groups 56 and 57.

9. Aggrieved thereby, the petitioner Rahul once again approached this Court by filing CWP No. 16536 of 2023 contending that the CET Score had been re-finalized without proper verification of claims under the socio-economic criteria and that marks under the said head continued to be awarded even to candidates who had withdrawn their claims. The said writ petition, along with other connected petitions, was allowed by this Court *vide* judgment dated 04.08.2023, wherein, *inter alia*, it was directed that a fresh revised CET Score be published after due verification of all socio-economic claims and that the written examination scheduled for 05/06.08.2023 for Groups 56-57 should not be held on the basis of the set-aside merit list. Relevant portion of judgment dated 4.8.2023 is reproduced as under:-

*“Keeping in view the above, the present petitions are allowed to the extent that the respondents will published a fresh revised Common Eligibility Test score of the candidates, who have appeared in the Common Eligibility Test and that too after due verification of the claims of the candidates, who have sought weightage under the Socio Economic Criteria as to whether, any candidate, who is claiming the said benefit, is entitled for the same or not. After verifying all the claims, the revised Common Eligible Test Score will be published and thereafter, the process of selection in pursuance to the Advertisement dated 07.03.2023 will be undertaken by the Commission and while undertaking the said process, the directions given hereinbefore, will be followed with regard to the publishing the roll numbers of the candidates, who are being called for written examination against a particular cadre post as well as in the different reserved categories of the said cadre along with the marks obtained by the last candidate to be called for written test in a particular category so as to eliminate any allegation and to project the transparency and fairness in the selection.*

*It may be noted that a written test is scheduled for 05/06.08.2023, which written test is based upon the revised merit list dated 25.07.2023, which has already been set aside hereinbefore, the respondent-Commission is directed not to hold the written test scheduled for 05/06.08.2023 as the same is going to cause prejudice to the candidates/petitioners and the said written test should only be held after the revised merit list of the Common Eligibility Test is published in terms of this order.”*

10. The aforesaid judgment dated 04.08.2023 was assailed by the Commission by filing LPA No.1037 of 2023. The appeal was listed for the first time on 05.08.2023, on which date the Division Bench, while issuing notice of motion, permitted the examination to be conducted but directed that the result thereof shall not be declared and shall remain subject to the final outcome of the appeal.

11. During the pendency of the aforesaid appeal, one Sukriti Malik filed CWP No.1563 of 2024 tilted as ***Sukriti Malik Versus State of Haryana*** challenging the grant of bonus marks on the basis of socio-economic criteria, both at the CET stage and in the subsequent selection examinations for Group-C and Group-D posts. Since common questions of law were involved, this petition along with LPA No.1037 of 2023 and other writ petitions were clubbed and heard together. The entire batch of cases was finally decided by a common judgment dated 31.05.2024, wherein the Division Bench issued, *inter alia*, the following directions:

*79. Keeping in view our aforementioned findings, we conclude as under:-*

*A) The socio economic criteria introduced vide amendment notification dated 05.05.2022 is quashed and set aside. The bonus marks granted on the basis*

*of socio economic criteria held to be violative of Articles 14, 15 and 16 of the Constitution of India.*

*B) CET result declared on 10.01.2023 as well as subsequent result dated 25.07.2023 are quashed. It is directed that the fresh merit shall be now prepared solely on the basis of the CET marks of the candidates who have appeared in the same. Making it as a basis, the State/Commission shall now issue a fresh advertisement for filling up various posts and each candidate shall be allowed to apply strictly in accordance with the Rules for the posts and if more than four times applicants are available for the posts, the respondents may lay down a cut-off of the CET for the purpose of participation. The Rules for examination shall accordingly follow. The result shall be declared accordingly.*

*C) Those candidates, who have been appointed on various posts on the basis of the earlier result, shall be allowed to participate in the fresh selection process if they fall in the new merit list of the CET. Till fresh selection is prepared they shall be allowed to continue to perform their duties on the posts to which they have appointed. However, if they are not selected ultimately in the fresh process, they shall have to leave the posts and their appointments shall stand terminated forthwith. No right shall be created in their favour on account of continuing on the posts nor will they be entitled to claim any benefit on account of the same except the salary for the period during which they perform their duties.*

*D) Keeping in view our findings relating to conducting of examination without declaring the result of CET finally by the Commission, we direct the Chief Secretary, Haryana to take steps to appoint a suitable candidate having experience of conducting*

*examinations as Secretary of the Haryana Staff Selection like the Controller of Examinations of any State Universities.*

*E) In order to maintain transparency and consistency, the Commission is henceforth directed to frame Rules of the Commission for conducting of its examinations without leaving any discretion for its officials or Members to take decisions on their whims and fancies which has resulted in the present litigation.*

*F) The exercise shall be completed afresh positively within a period of six months.*

*80. All the Writ Petitions are accordingly allowed and all the LPAS are dismissed.*

12. The judgment dated 31.05.2024 was carried in appeal by the Commission before the Hon'ble Supreme Court of India. The Special Leave Petitions (SLPs) were dismissed on 24.06.2024.

13. After the dismissal of SLP present review applications have been filed, wherein notices have been issued. During the pendency of the review applications, various affidavits have been filed by the State of Haryana, pursuant to the orders passed by this Court from time to time.

14. At the outset, we may note a basic distinction, on facts, regarding groups, wherein, selections were made. The earlier judgment of the writ Court dated 04.08.2023 in **Rahul** (supra), arose out of an advertisement dated 07.03.2023 for Group 56-57. The basic ground to set aside merit list in the judgment dated 04.08.2023, was that without determining the correct CET score, pursuant to earlier directions, issued in CWP-13370-2023, the Commission had proceeded to conduct the CET-II. So far as the recruitment against group 56-57 is concerned, the judgment of the Division Bench has been acted upon and selection made in teeth of the judgment dated

04.08.2023, is not assailed. To these aspects, the judgment dated 31.05.2024, has attained finality. Fresh recruitment in respect of Group 56-57 is conducted, thereafter and selections are made and given effect to. These subsequent recruitment against Group 56-57 is not under challenge.

15. The review applicants consist of selected candidates who have passed CET without availing the benefit of socio economic marks in the posts included in 24 groups pursuant to CET-II. The review applicants state that they have not availed the benefit of socio-economic criteria and no illegality has been pointed in their selection process. These applicants also state that they were neither impleaded as party in the writ proceedings; appeal(s), nor were heard before passing the orders. It is in the context of applications filed by such persons that some of the candidates opposing their claim had approached the Supreme Court, wherein a direction has been issued to hear and decide the review applications on the date fixed. The bunch of review applications had, however, been heard on 05.09.2025 but had to be adjourned in order to invite further affidavits from the State/parties for better appreciation of the factual issues.

16. The Review Applicants are aggrieved by the impugned final order dated 31.05.2024 passed by this Hon'ble Court in bunch of cases (leading case being CWP No.1563 of 2024) insofar as their appointments are set aside without hearing them. Learned Senior counsel for the review-applicants submit that the recruitment process qua the present groups (excluding Group 56-57) has been set aside on a manifestly erroneous factual premise, constituting an error apparent on the face of the record, and the impugned judgment is liable to be reviewed insofar as it affects the review applicants.

17. Learned Senior Counsel for the review applicants submits that the impugned judgment has been passed without affording any opportunity of hearing to the Review Applicants. None of the selected candidates were impleaded at any stage of the proceedings. It is submitted that for the groups under review, the Commission issued due shortlisting notices mentioning the roll numbers of shortlisted candidates and all eligible candidates were permitted to participate in the written examination. No candidate was deprived of participation. The shortlisting was interfered with only in respect of certain non-technical groups (Group 56-57) and not *qua* the present groups.

18. Learned Senior Counsel further submit that the recruitment has been set aside on the erroneous premise that the review applicants had availed benefit of socio-economic criteria marks. The said premise is factually incorrect inasmuch as the socio-economic criteria under the CET Policy dated 05.05.2022 already stood stayed by this Court on 16.11.2023 in CWP No. 25781 of 2023 (*Varun Bhardwaj v. State of Haryana & Ors.*). Consequently, no benefit of socio-economic criteria could have been granted in the results declared on 05.02.2024 and 11.03.2024 respectively.

19. Learned Senior Counsel therefore submit that the observations of the Division Bench from paragraph 52 onwards in the judgment under review pertain exclusively to Group Nos. 56 and 57, which had an exceptionally high candidate-to-post ratio and where socio-economic criteria had a material bearing on short-listing. These groups have already been re-advertised and after completion of selection, the result was declared on 17.10.2024, whereafter, candidates have joined, and the judgment stands complied with to that extent. Whereas, the same does not hold true for the

present groups wherein all eligible candidates participated in the examination and no one was deprived to sit in the written examination. The present groups are clearly distinguishable.

20. It is further submitted that in the present groups all eligible candidates participated in the examination and no one was deprived of an opportunity to compete. Moreover, since the socio-economic criteria stood stayed prior to the relevant shortlisting, the question of any advantage being conferred upon the review applicants does not arise.

21. Learned counsel submits that the Commission has filed a categorical affidavit clarifying that no socio-economic criteria marks were awarded to the Review Applicants and that they were selected purely on the basis of their written examination marks. The Review Applicants fall within the select zone even without the grant of any bonus marks and form part of the common list of 10,233 candidates provisionally appointed pursuant to the result dated 05.02.2024. It is further contended that in terms of Note-1 appended to the result dated 05.02.2024, only *inter se* change of posts has been proposed in respect of some review applicants and no candidate has been pushed out of the select zone, as is evident from the select list and the affidavit filed by the Commission.

22. Learned counsel further submits that paragraphs 67 and 68 of the impugned judgment proceed on an incorrect factual assumption that socio-economic criteria marks up to 2.5 were included in the CET-II for the present groups. The said assumption stands conclusively rebutted by the Commission's affidavit and the complete select list placed on record.

23. Learned Advocate General, Haryana submits that as per the CET Policy dated 05.05.2022, recruitment for the advertised posts was to be

conducted in two stages: CET-I, which was qualifying in nature, and CET-II, consisting of skill and/or written examination. Candidates qualifying CET-I were eligible to appear in CET-II, and final selection was to be made strictly on merit in CET-II. Clause 7(v) of the Policy prescribes minimum eligibility marks of 50% for general category candidates and 40% for reserved category candidates, excluding socio-economic criteria.

24. CET-I was conducted on 05/06.11.2022 for approximately 7,73,000 candidates, out of which 3,59,146 candidates qualified for CET-II. CET-II, advertised *vide* Advt. 03/2023, included 401 posts across 63 groups, with similar educational qualifications clubbed together. In the posts included in 24 groups, the number of eligible candidates were less than four-fifths of the posts; consequently, all eligible candidates were allowed to appear for CET-II, without any socio-economic marks being granted, as per affidavit dated 10.9.2025. Selection in these groups was distinct from group 56-57 where the candidates were far more (much more than 5 times the post than socio-economic criteria marks played a role).

25. Learned Advocate General, Haryana further submits that results of CET-II were generated through a computerized algorithm based on marks, reservation category, post eligibility, and preference, with no manual intervention. Two lists were prepared, one with socio economic marks and one without socio economic marks; 10,233 candidates were common to both lists. The Commission declared results for these candidates on 05.02.2024, **without granting any socio-economic benefit**, pending judicial determination on the validity of the socio-economic criteria. He further submits that at the time of declaration of result on 5.2.2024, the socio economic marks/criteria was intact, though suspended by the Hon'ble court

vide order dated 16.11.2023 passed in CWP No. 25781 of 2023, but was not declared or set aside in any Court case by then.

26. Ld. State Counsel further submits that pursuant to the order dated 14.11.2025, complete details of candidates were annexed in affidavit dated 26.11.2025 wherein it is specifically stated that candidates were not given marks for socio-economic criteria. Affidavit dated 26.11.2025 clarified that minor changes in post allocation affected 554 candidates, category allocation affected 207 candidates, and 232 additional candidates were included whose results had earlier been withheld.

27. It is further submitted that regarding Groups 56-57, in CWP No. 16536/2023, the Single Bench set aside the short-listing dated 25.07.2023, directing verification of socio-economic claims. On appeal (LPA No. 1037/2023), the Division Bench permitted the Commission to conduct the examination subject to final adjudication. The results of these groups were declared on 17.10.2024 without any socio-economic marks, and there is no pending litigation concerning these selections. As regards the remaining 20 groups, the written examination process was completed, and appointment letters were issued to meritorious candidates **without considering socio-economic criteria**. The original writ petition only challenged the short-listing based on CET scores, and there is **no challenge to the conduct of CET-I or CET-II, the CET Policy, or the method of awarding marks**. The Commission has consistently and transparently selected candidates solely on the basis of merit in CET-I and CET-II, without granting any socio-economic benefit, and there is no ground for interference in the present review application. Affidavits dated 10.09.2025 & 12.11.2025 came to be filed on

behalf of the respondent-State, the relevant extracts of the same are reproduced hereinafter:-

**FIRST AFFIDAVIT (dated 10.09.2025):**

*“That it is relevant to mention here that in another writ petition bearing CWP No. 25781 of 2023 titled as Varun Bhardwaj vs State of Haryana, which pertains to challenge of CET policy dated 05.05.2022, in as much as regarding grant of socio-economic marks and the said criteria was stayed vide order dated 16.11.2023. Though the said writ petition was pertaining to Group D posts, the respondent commission could not implement the socio-economic criteria and therefore, could not grant the said marks in Group C posts too in any of the groups, which are part of present bunch of review petitions. It is submitted that similar other writ petitions were also filed and the same was subsequently ordered to be heard together with LPA No. 1037 of 2023.*

*15. That as far as 24 groups were concerned in which the total applicants were less than 4/5 times of the number of posts, the respondent-commission issued various public notices alongwith list of eligible shortlisted candidates for the written examination in the month of December 2023 and January 2024. The relevant pages of of public notices dated 22.12.2023, 30.12.2023, 07.01.2024, 20.01.2024 and 10.02.2024 are attached herewith as Annexure R-1/10 to R-1/14, respectively. Therefore, it is quite clear that for each group amongst the above 24 groups, the list of shortlisted candidates to appear for written examination was duly published before conducting of the examination. It is relevant to mention here that from the record it is clear that none of the candidates who were issued roll numbers for CET Phase-II Examination, were accorded any benefit of socio-economic criteria which is evident from the records as well as in any case the availability of candidates against each group was less than 4/5 times as is evident from the table stated hereinunder:-*

**Where applicants are less than 4/5 times.**

Group No.	Name of Group	No. of posts	Applicants	Shortlisted	Ratio	
16	Staff Nurse	1554	2328	2328	1.50	Result out
17	Junior Coach	192	436	436	2.27	Result out
22	SA/ALM/Electrician	6576	15919	15919	2.42	Result out
23	VLD	747	1506	1506	2.02	Result out
30	Fire Operator-cum-Driver	2018	3853	3853	1.83	Result out
32	MPHW	494	1168	1168	2.36	Result out
43	Dispenser Ayurveda	158	158	488	3.09	Result out
47	Ophthalmic Assistant	49	86	86	2.15	Result out
48	Operation Theater Assistant	121	272	272	2.25	Result out

**Where eligible candidates are less than 4/5 times.**

Group No.	Name of the Group	No. of posts	Applicants	Eligible candidates vis a vis the qualification of the post	Shortlisted candidates	Ratio	
11	Dietician	26	365	65	65	2.50	Result out
12	Fire Station Officer	8	755	34	34	4.25	Result out
13	Feature Writer AI&PRO Posts	14	563	38	38	2.71	Result out
19	Boiler Attendant	3	215	2	2	0.67	Result out
24	Sub Fire Officer	33	671	60	60	1.82	Result out
28	Modeler	4	141	1	1	0.25	Result out
35	Labortatory Technician Veterinary	15	247	68	68	4.53	Result out
46	Dental Hygienist	35	181	20	20	0.57	Result out
51	Motor Winder	200	1125	127	127	0.64	Result out
52	Dispenser (Unani)	4	123	10	10	2.50	Result out
55	Work Supervisor	200	1125	127	127	0.64	Result out
20	Assistant Manager Dairying	168	1820	846	846	5.04	Result out
44	Radiographer	68	416	79	79	1.16	Result out
49B	(10+2) Science Group	304	1757	630	630	2.07	Result out
50	Indian Cook	10	419	56	56	5.60	Result out

16. That pursuant to the holding of examinations for various groups, the results of 20 groups were declared on 05.02.2024 and the result of remaining 04 groups alongwith revised result

*for 20 groups was published on 11.03.2024. The relevant pages of the result declared on 05.02.2024 and 11.03.2024 are annexed herewith as Annexure R-1/15 and R-1/16, respectively.*

*17. That as far as the contention w.r.t. awarding 2.5 marks towards Socio-Economic Criteria to the review applicants is concerned, in this regard, the Hon'ble Court has already sought the information from the respondent-Commission vide order dated 25.04.2025 to intimate about the marks obtained by the review applicants with or without socio economic marks. The operative part of order dated 25.04.2025 is reproduced as under:-*

*"Before we proceed further on these review petitions, we direct the State to file an affidavit with respect to the review petitioners, who are before us, and inform their marks which they obtained in CET without the benefit of socio-economic criteria and the marks which were given with benefits of socio-economic criteria at level one, and similarly their marks in level two with and without socio-economic criteria shall also be placed before us on the next date of hearing."*

*In compliance of the above order, respondent-Commission has filed the affidavit on 08 07 2025 and same may be read as part and parcel of the present affidavit. However, it is again reiterated that no candidate who were found meritorious was awarded 2.5 marks relating to socio-economic criteria. This fact has also been clarified while issuing the results dated 05.02.2024 and 11.03.2024 Annexure R-1/15 and R-1/16, respectively, wherein, it is clarified that the selection of the candidates is independent of their socio-economic marks.*

*18. That, thereafter, vide judgment dated 31.05.2024 passed in the bunch of cases with main case, CWP No. 1563 of 2023 titled as Sukriti Malik Vs State of Haryana & Ors, (which included the challenge to Socio-economic Criteria as per policy dated 05.05.2022 and so also decided in the LPA No 1037 of 2023 filed against the judgment dated 04 08 2023 passed in*

*CWP No. 16536 of 2023). the Hon'ble Division Bench had quashed the result dated 10.01.2023 and 25.07.2023. The Hon'ble Court further ordered to prepare fresh merit list solely on the basis of CET marks i.e. without socio economic criteria.*

*19. That as far as the 24 groups were concerned as stated earlier, the process of written examination and declaration thereof was already completed and the appointment letters had already been given to the meritorious candidates without taking the socio-economic criteria marks into consideration The respondent commission, however, in compliance of judgment dated 31.05.2024, has issued notice dated 25.06.2024, wherein, CET phase 1 score was declared after deleting the column related to the socio-economic criteria marks. The copy of notice dated 25.06 2024 is annexed herewith as Annexure R-1/17.*

*20. That for the group No. 56 & 57, the process of holding the fresh examination was conducted through an advertisement issued on 04/2024 dated 28 06 2024 and after conducting the examination. the result was also declared on 17.10.2024*

*21. That it is again reiterated that the contents of affidavits filed earlier by the answering respondent commission may kindly be read as part and parcel of the present affidavit and the contents of the same are not reproduced here for the sake of brevity and this Hon'ble Court is requested to dispose of the petitions in favour of the answering respondent Commission and in the interest of justice, equity and good conscience.*

**SECOND AFFIDAVIT (dated 12.11.2025):**

*4. That the result is prepared through an algorithm based upon the factors like marks of the candidate, reservation category, eligibility for the post, preference order for the post etc. There is no manual intervention in the process of result preparation*

*5. That in the present case, the Commission prepared two lists:*

*(i) One on the basis of giving the benefit of socio-economic criteria marks, in which total 10493 candidates found place in the selection zone against 12341 posts and*

*(ii) Second, on the basis of without giving any benefit of socio-economic criteria marks, in which total 10458 candidates found place in the selection zone against 12341 posts.*

*Then, the Commission compared both the lists and found that total 10233 candidates were common to both the lists. It is relevant to state here that at the relevant time of declaration of result on 05.02.2024, the socio economic marks/criteria as mentioned in Government Policy dated 05.05.2022 was intact, though suspended by the Hon'ble Court vide order dated 16.11.2023 passed in CWP No. 25781 of 2023 titled as Varun Bhardwaj Vs State of Haryana and another, but was not declared unconstitutional or set aside in any Court case The said orders were passed in terms of order dated 19.01.2023 passed in CWP No. 605 of 2023 titled as Arpit Gahlawat Vs State of Haryana and others. The copies of order dated 16.11.2023 & 19.01.2023 are annexed herewith as Annexure R-1/2 (colly). Since, the Socio Economic Criteria socio economic criteria had not been set aside by the Hon'ble High Court at that time, therefore, the Commission as a matter of abundant caution, declared the result of only these 10233 candidates who were common to both the lists For rest of the candidates, the result along with the posts was withheld till the final decision regarding the validity of socio-economic criteria is taken by Hon'ble High Court. Therefore, it is quite clear that the candidates selected in the result dated 05.02.2024 were selected without getting the benefit of socio economic marks The same was also duly mentioned in the result dated 05.02. 2024 (Annexure R-1/1) as "This is further clarified that the selection of the below mentioned candidates is independent their socio-economic marks."*

*That since the process of result preparation also involves the allocation of posts based on factors like marks of the candidate number of vacancies, reservation category, preference for the post etc. therefore, the Commission faced a dilemma as to how and which post is allocated to these 10233 candidates either on*

*basis of the list prepared with socio-economic marks or the list prepared without the benefit of socio-economic marks.*

28. Learned Senior Counsel appearing for the applicants/interveners submits that the review applications are founded on a patently false and misleading premise, namely, that the result dated 05.02.2024 was independent of the socio-economic criterias and that inclusion or exclusion of the said criteria would have no bearing on the final outcome. The said assertion is demonstrably incorrect. The affidavit dated 26.11.2025 filed by the Commission itself discloses that the result has been amended and revised and that several candidates, who were never earlier selected, now stand included, thereby completely demolishing the said premise.

29. It is further submitted that the review applications also proceed on an erroneous assumption that the recruitment process was set aside solely on the ground that the socio-economic criteria were declared unconstitutional. This assumption stands conclusively negated by the findings recorded by the Division Bench in paragraphs 61 to 71 of the judgment rendered in LPA No. 1037 of 2023.

30. Learned Senior Counsel further submits that the Supreme Court has already dismissed the SLP preferred by the State of Haryana, wherein the very same contention was raised, i.e. that certain candidates, including persons similarly situated as the present review applicants, had been selected without availing the benefit of socio-economic criteria. The said contention having been rejected, the present review petitions, founded on identical grounds, are not maintainable.

31. It is also submitted that the results sought to be protected through the present review petitions were declared and appointments were

made only under the cover of interim orders passed by this Hon'ble Court. It is settled law that no equity can be claimed on the basis of acts performed under interim orders and that all such actions remain subject to the final adjudication of the *lis*.

32. Since the writ petitions challenging the selection process were instituted prior to the issuance of any appointment orders, there was no requirement to implead the present applicants, whose appointments came to be made subsequently and were, in any event, always subject to the final outcome of the CWPs and LPAs. The present review applicants consciously chose to remain fence-sitters and, having awaited the outcome of the Letters Patent Appeals, have now filed the present review petitions as a clear afterthought.

33. It is further submitted that the State of Haryana has failed to comply with the interim order dated 14.11.2025, inasmuch as the selection list on the basis of which appointments were made has not been placed on record. The affidavit dated 26.11.2025 incorrectly describes the examination as being merely qualifying in nature. The policy as well as the advertisement mandated shortlisting and categorically provided that candidates beyond four times the number of advertised posts were ineligible to appear in CET-II. By dispensing with the mandatory shortlisting exercise, the Commission illegally permitted ineligible candidates to appear in CET-II and secure appointments.

34. The interim orders only permitted the State to proceed with the selection process, expressly subject to the final outcome of the LPAs. Till date, the original and final selection list has neither been published in the public domain nor produced before this Court. On the contrary, the lists annexed with the affidavit dated 26.11.2025 reveal that the post allocation of as

many as 554 candidates has been altered and the category of selection of 207 candidates has been changed.

35. At the outset, we may deal with an objection raised on behalf of the intervenors regarding the maintainability of the review applications(s). It is contended that the judgment under review, dated 31.05.2024, was unsuccessfully challenged by the State by filing a SLP, which came to be dismissed *vide* the following orders:-

*“After having heard the learned Attorney General for India appearing for the petitioners and after perusing the impugned judgment, we find no error in the impugned judgment. The Special Leave Petitions are accordingly dismissed.”*

36. It is, therefore, contended that the Division Bench judgment of this Court has merged with the order of the Supreme Court and that, therefore, a subsequent review application before this Court would not be maintainable. The objection raised with regard to the maintainability of the review application proceeds on a misconstruction of the legal position operating in the field. It is only where the judgment of the High Court has been challenged in a SLP before the Supreme Court, which was decided after the grant of leave, that the principle of merger would essentially get attracted. In ***Kunhayammed vs. State of Kerala, 2000 (6) SCC 359***, this issue came up before the Supreme Court. After elaborately examining the matter in issue, the Court proceeded to lay down the following principles in paragraph No. 44, which are reproduced below:-

*“44. To sum up, our conclusions are:*

*(i) Where an appeal or revision is provided against an order passed by a court, tribunal or any other authority before supe-*

*rior forum and such superior forum modifies, reverses or affirms the decision put in issue before it, the decision by the subordinate forum merges in the decision by the superior forum and it is the latter which subsists, remains operative and is capable of enforcement in the eye of law.*

*(ii) The jurisdiction conferred by Article 136 of the Constitution is divisible into two stages. The first stage is upto the disposal of prayer for special leave to file an appeal. The second stage commences if and when the leave to appeal is granted and the special leave petition is converted into an appeal.*

*(iii) The doctrine of merger is not a doctrine of universal or unlimited application. It will depend on the nature of jurisdiction exercised by the superior forum and the content or subject-matter of challenge laid or capable of being laid shall be determinative of the applicability of merger. The superior jurisdiction should be capable of reversing, modifying or affirming the order put in issue before it. Under Article 136 of the Constitution the Supreme Court may reverse, modify or affirm the judgment-decree or order appealed against while exercising its appellate jurisdiction and not while exercising the discretionary jurisdiction disposing of petition for special leave to appeal. The doctrine of merger can therefore be applied to the former and not to the latter.*

*(iv) An order refusing special leave to appeal may be a non-speaking order or a speaking one. In either case it does not attract the doctrine of merger. An order refusing special leave to appeal does not stand substituted in place of the order under challenge. All that it means is that the Court was not inclined to exercise its discretion so as to allow the appeal being filed.*

*(v) If the order refusing leave to appeal is a speaking order, i.e., gives reasons for refusing the grant of leave, then the order has two implications. Firstly, the statement of law contained in the*

*order is a declaration of law by the Supreme Court within the meaning of Article 141 of the Constitution. Secondly, other than the declaration of law, whatever is stated in the order are the findings recorded by the Supreme Court which would bind the parties thereto and also the court, tribunal or authority in any proceedings subsequent thereto by way of judicial discipline, the Supreme Court being the Apex Court of the country. But, this does not amount to saying that the order of the court, tribunal or authority below has stood merged in the order of the Supreme Court rejecting the special leave petition or that the order of the Supreme Court is the only order binding as res judicata in subsequent proceedings between the parties.*

*(vi) Once leave to appeal has been granted and appellate jurisdiction of Supreme Court has been invoked the order passed in appeal would attract the doctrine of merger; the order may be of reversal, modification or merely affirmation.*

*(vii) On an appeal having been preferred or a petition seeking leave to appeal having been converted into an appeal before the Supreme Court the jurisdiction of High Court to entertain a review petition is lost thereafter as provided by sub-rule (1) of Rule 1 of Order 47 CPC. ”*

37. The judgment in ***Kunhayammed*** (supra) has been followed by subsequent three-Judge Bench of Supreme Court in ***Khoday Distilleries Ltd (now known as Kooday India Ltd) and others vs. Sri Mahadeshwara Sahakara Sakkare Karkhane Ltd., 2019 (4) SCC 376*** and the Court held as under:-

*“103. A subsequent three-Judge Bench in ***Khoday Distilleries Limited v. Sri Mahadeshwara Sahakara Sakkare Karkhane Limited, Kollegal (2019) 4 SCC 376*** succinctly summarized what was held in ***Kunhayammed*** (supra) in the following words:*

*20. The Court thereafter analysed number of cases where orders of different nature were passed and dealt with these judgments by classifying them in the following categories:*

*(i) Dismissal at the stage of special leave petition—without reasons—no res judicata, no merger.*

*(ii) Dismissal of the special leave petition by speaking or reasoned order—no merger, but rule of discipline and Article 141 attracted.*

*(iii) Leave granted—dismissal without reasons—merger results.”*

38. The principles with regard to merger have been elaborately considered of late in ***Vishnu Vardhan @ Vishnu Pradhan vs. State of Uttar Pradesh, 2025 SCC OnLine SC 1501***. Though this case was, to a certain extent, distinguishable, as the earlier judgment was found to be a result of fraud, the Court nonetheless went into the issue and observed that to merge means to sink or disappear into something else; to become absorbed or extinguished, or to be combined or swallowed up. In paragraphs Nos. 110, 121, and 122, the three-Judge Bench in ***Vishnu Vardhan @ Vishnu Pradhan*** (supra) has held as under:-

*“110. The upshot of the aforesaid discussion is that when an appeal is limited to a specific part of the judgment and order of the first-instance court, the merger occurs only to that extent, leaving the rest intact and available for future consideration. The extent of merger is determined by the subject matter of the appeal. The merger can only operate on issues which were the subject-matter of the appellate court's judgment and order and cannot have any application to issues which are not being taken on appeal by either party or which had not been touched upon by the appellate court.*

\*\*\*\*\*

*121. There is one other exception to the doctrine of merger. Nowadays, it is not a rarity to find that petitions involving similar, though not identical, issues are clubbed together and disposed of by a common judgment and order. If such a judgment and order is unsuccessfully challenged before a superior court by one of the petitioners to the proceedings, and such a challenge fails, the doctrine of merger may not apply when another set of petitioners challenges the same (common) judgment and order; if the second set of petitioners are able to demonstrate that the case run by them is not identical (though bearing resemblance) with the proceedings already decided, it would still be open for the superior court to entertain the challenge and rule in a manner different from the earlier proceedings.*

*122. Thus, the application of the doctrine of merger, in every case, should be accompanied by an awareness of its limitations and should not be wielded to close avenues for addressing genuine concerns. Prioritizing justice and fairness should supersede an absolute insistence on finality. While the latter is commendable, the former is superior. These doctrines, even though are grounded in sound and justifiable public policy arguments, yet, do not limit the powers of the courts in cases where larger public interest is at stake. They have been adapted to accommodate exceptions and qualifications, leaving room for acknowledging special circumstances, particularly in matters of public significance.”*

39. Viewed in the light of the aforesaid authoritative pronouncements on the doctrine of merger, we have no hesitation in rejecting the objection raised to the maintainability of the review applications on the ground of merger. First and foremost, we have noticed that the judgment under review, though challenged before the Supreme Court, neither resulted

in the grant of leave nor involved any expression of views on the merits by the Court, such that the principle of merger could be pressed into service. Mere summary dismissal of an SLP would not otherwise attract the principle of merger, in view of the law laid down in *Kunhayammed* (supra), which has consistently been followed ever since.

40. This take us to the merits of the review applications.

41. The submissions advanced on merits have been noticed threadbare. The judgment under review has examined the questions raised primarily in two parts. The first part relates to the award of additional marks under the socio economic criteria. On this aspect, no issue has been raised, and therefore, the conclusions drawn by the Division Bench holding the award of marks under the socio economic criteria to be bad do not require any consideration. The conclusions of the Division Bench, on this aspect, have become final. The next part relates to the process by which the denial of socio economic criteria marks was excluded while effecting selection. It is this part of the judgment which is in issue.

42. The review applicants have primarily urged that the selection made in respect of the posts included in 24 groups merited no interference, as the selection was not based upon the award of any benefit under the socio economic criteria. The review applicants contend that the deficiencies pointed out by the Division Bench in its judgment related only to Groups 56-57, and such deficiencies could not have been presumed in respect of the posts included in 24 groups, nor did the appointments made in those 24 groups require any interference.

43. We have elaborately examined the scheme of recruitment delineated in the notification dated 05.05.2022. The policy document

contemplated the holding of CET, 2022. As per the policy, the CET was to be conducted for Group C and D posts by the Commission or any other agency as may be decided by the Government. In terms of such policy document, the recruitment herein has been made by the Commission. The first phase of recruitment related to passing the CET. The candidates had to score 50% marks in the CET in order to become eligible to appear in the CET-II. For reserved category candidates, the marks required to be scored were 40%. Five additional marks were to be awarded under the socio-economic criteria. When a candidate obtained any marks under the socio-economic criteria, such marks were to be added to the CET marks, and the aggregate, including the socio-economic marks, was called the CET score.

44. It would be worthwhile to reproduce the scorecard for CET-I result of one of the candidates, Sunil Kumar, which is on record. We deem it appropriate to extract it as it would clarify the manner in which marks were allocated to each candidate in CET-I:-

  
**HARYANA STAFF SELECTION COMMISSION (HSSC)**  
**SCORECARD FOR COMMON ELIGIBILITY TEST (CET) HELD IN THE YEAR 2022 FOR GROUP 'C' POSTS**

Registration Number	707648	Roll Number	27184147
Candidate's Name	SUNIL KUMAR		
Gender	Male	Date of Birth	12/12/1990
Mother's Name	SUBAHL		
Father's Name	RANDEEP SINGH		
Category	SC (A)	Sub-Category (DISABLED-ESM, ESM, OSM, SOCOM, ODF, RSP etc)	
Person With Benchmark Disability (PWD)	No	Category of PwD (VH/HH, Autism, GH)	Not Applicable
Mobile No. (provided by candidate at the time of registration)	8221941128	Date of Exam	06.11.2022
		Shift of Exam	Second

  


<b>MARKS OBTAINED:</b>	<b>51.0549022</b>
<b>1. CET MARKS (AFTER NORMALISATION) OBTAINED BY CANDIDATE IN WRITTEN EXAM (MAXIMUM = 95 MARKS)</b>	
<b>2. PROVISIONAL MARKS AWARDED UNDER SOCIO ECONOMIC CRITERIA (On the basis of claim made by a candidate) (MAXIMUM = 05 MARKS) on following parameters :</b>	
a. No Govt. Job in family and family income less than Rs.1.20 lacs.	0.5
b. [i] A widow or [ii] Father died before attaining the age of 42 or before the candidate had attained the age of 15 years.	0.0
c. Caste/tribe (Vishwak Jatis and Tagorwals Jatis) and Nomadic which is neither a SC nor a ST.	0.0
d. Experience on same or higher post under Haryana Govt. - Maximum = 04 Marks	0.5
<b>Provisional Marks awarded under Socio Economic criteria, for calculation of CET Score (Max. 05 marks can be awarded to a candidate under Socio Economic criteria on account of 'a' to 'd' above)</b>	<b>0.5</b>
<b>CET SCORE OF CANDIDATE(S) (+2)</b>	<b>51.5549022</b>
<b>Out-Of Normalized Marks (excluding Socio-economic criteria weightage) for qualifying in CET out of 95 in higher category</b>	<b>38.0000000</b>
<b>Result:</b>	<b>QUALIFIED</b>

Date of Declaration of Result: 15.01.2023  
 UNDER SECRETARY, EXAMINATION  
 For Secretary, HSSC

**NOTE: Out-Of Normalized Marks (excluding benefit of Socio Economic Marks) out of 95 Marks are as follows:**

1. GENERAL CATEGORY CANDIDATE: 47.50 & ABOVE i.e. 50% & ABOVE
2. RESERVED CATEGORIES (BOTH VERTICAL & HORIZONTAL WHO ARE SONARFIDE RESIDENT OF HARYANA): 35.00 & ABOVE i.e. 40% & ABOVE

**IMPORTANT INSTRUCTIONS:-**

1. This Score Card is valid for a period of three years from the date of declaration of result or until the recommendation of candidate for appointment is made to the concerned appointing authority by Haryana Staff Selection Commission, whichever is earlier.
2. The electronically generated score card is the provisional official result and does not require any signature.
3. Candidates particulars including Category, Sub-Category have been indicated as per Payroll/Pension Form and where data has not matched from Payroll/Pension Form, result of written examination is provisional, if there is any change required, the candidate should approach the Commission within 15 days from the date of issuing notice in this regard to the Commission's office in written.
4. Marks under Socio Economic criteria are awarded on the basis of claim made by the candidate in his/her online application form. Such claims have not been verified at this stage and the same may be verified at subsequent stages of recruitment. Marks under Socio Economic criteria are subject to change on verification of claim by HSSC. Further, in case it is found at subsequent stages of recruitment or even after appointment that the claim made by a candidate for obtaining Socio Economic criteria marks, is unsubstantiated or/and the same is wrongfully obtained by the candidate by furnishing false and misleading information, candidature of such candidate shall stand cancelled and appropriate legal action will be initiated against such candidate.
5. The original criteria, self-declaration, various documents, etc. of the eligible candidates shall be verified as per regime specified.
6. The short listing is subject to fulfilling the eligibility, merit in merit list, medical fitness, verification of original documents in support of their claim, and such other criteria as may be prescribed by the HSSC and the appointing authority.
7. Candidate, if found, submitting wrong information or tampering with this Score Card at any stage, will be considered as using unfair practice and his/her candidature will be cancelled and further legal action will be taken as may be deemed fit.
8. The raw marks obtained have been transferred into Normalized marks. For detailed procedure on Normalized marks, please visit website: [hssc.gov.in](http://hssc.gov.in)
9. Marks appearing in the CET-2022 and possessing this Score Card does not confer any right of appointment to the candidate and same shall be governed by the rules/instructions/regulations issued from time to time during the validity of CET Score. The candidate should visit the official website: [hssc.gov.in](http://hssc.gov.in) or [www.hssc.gov.in](http://www.hssc.gov.in) from time to time as no individual intimation shall be given.
10. This CET Score is issued under the Haryana Govt. Notification No. 42/193079-9254 dated 06.05.2022 and the candidate is bound by the terms & conditions of the said notification.

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45. The scorecard for the CET clearly indicated that the candidates were separately shown the CET marks scored by them, while the socio-economic criteria marks were indicated separately in the scorecard. So far as the CET marks are concerned, the candidates had to score 50% marks in the General Category out of 95 marks, which works out to 47.5. For reserved category candidates, the marks required to qualify in the CET were 40% of 95 marks, which would work out to 38. Similarly, for the CET-II also, marks were shown separately, with or without socio-economic criteria. The Division Bench, while delivering the judgment under review, had taken note of the steps taken by the Commission requiring the candidates to specify whether they wanted to take the benefit of socio-economic criteria marks or not. Affidavits were required to be submitted by the candidates in this regard. The Division Bench observed that affidavits/undertakings by candidates opting to give up the socio-economic criteria marks continued to be received until much later, by which time the second phase of recruitment had commenced. The Court was accordingly of the view that the merit list of candidates clearing the CET-I was not correctly drawn by restricting the merit only to the CET marks obtained out of a maximum of 95 marks (excluding socio-economic criteria marks). The Court, therefore, opined that the recruitment process specified that candidates to the extent of 4-5 times (depending upon the group) could be called to appear in the CET-II based upon the marks obtained in CET-I. In Groups 56-57, the number of applicants was far more than 4-5 times, and therefore, any lack of clarity in the preparation of merit at the first stage of recruitment had a bearing on the selection itself. The observations and findings of the Division Bench that the merit list was not drawn on the basis of CET marks (excluding marks

towards socio-economic criteria) were in the context of Groups 56-57, and the findings, to the extent of Groups 56-57, were therefore based on the material available on record. To the extent of Groups 56-57, the merit list having not been properly prepared, the result declared by the Commission in the CET-II was rightly interfered with. The judgment under review, therefore, requires no interference insofar as it relates to the recruitment of Groups 56-57.

46. The Division Bench judgment, however, has not restricted its findings to the extent of Groups 56-57 alone, and based on such findings; the recruitment made for other groups has also been set at naught. The basis for filing the review applications is the contention that, in respect of the posts included in 24 groups, the candidates who qualified for CET-II were fewer than 4-5 times, and therefore, the award of socio-economic criteria marks had no bearing on the merit for being called to CET-II. The applicants have categorically stated that, in respect of the posts included in 24 groups, under which the review applicants have been selected and appointed, the candidates available to take part in CET-II were fewer than 4-5 times, as specifically noticed in the chart mentioned in paragraph 62 of the judgment itself. The review applicants have further categorically stated that the selection to the posts included in 24 Groups was made without availing of marks under the socio-economic criteria. The State, as well as the Commission, has also emphatically stated that none of the selected candidates in the posts included in 24 groups actually availed marks under the socio-economic criteria. The specific assertions made in the respective affidavits filed by the review applicants, the State, and the Commission have not been shown to be incorrect.

47. Although the intervenors opposing the prayer for review have attempted to dispute the assertions made on behalf of the review applicants/State of Haryana/Commission, their objections are primarily based upon their apprehensions and analysis of figures. We have carefully perused the records in light of the stand of the parties and are of the opinion that, in respect of the posts included in 24 groups, wherein the review applicants have been selected and appointed, the candidates available for appearing in CET-II were fewer by 4-5 times.

48. Since the candidates available for appearing in CET-II of recruitment for the posts included in 24 groups were fewer than the permissible number, i.e., by 4-5 times, the question of excluding any candidate on account of the award of marks under the socio-economic criteria would not arise. Even otherwise, we have no reason to doubt the specific stand of the Commission and the State that none of the persons selected in the posts included in 24 groups availed of marks under the head of socio-economic criteria.

49. We find substance in the contention of the review applicants that the distinction drawn on the facts between the recruitment made for Groups 56-57 and the posts included in 24 groups have been overlooked. The observations and findings recorded in the judgment under review in paragraphs Nos. 61-71, therefore, could not have formed the basis to set aside the recruitment made in respect of the following two categories of cases:-

- (i) Where the applicants were less by 4-5 times (chart reproduced above) &
- (ii) Where eligible candidates were less by 4-5 times (chart reproduced above).

50. In respect of the posts included in 24 groups, the socio economic criteria marks could not have made any difference in shortlisting the candidates to be called for the CET-II. We also find that the observation contained in paragraph 63 of the judgment under review, stating that eligible shortlisted candidates were even fewer than the number of posts, or that other candidates could not apply on account of their lower CET score, or that candidates were merged over others on account of socio-economic criteria, is based on no evidence on record.

51. None of the intervenors opposing the review applications have shown that any candidate was denied the opportunity to appear in CET-II despite having scored 50% or more in CET-I marks. The basis to quash the recruitment made to the posts included in 24 groups, therefore, requires review.

52. During the course of hearing, we directed the Commission to file a specific affidavit placing on record the selection list of CET-I and CET-II exams, specifying the roll numbers/names of candidates, the CET marks, as well as the cut-off in each group/category on the basis of which appointments have been made. Paragraph 11 of the order dated 14.11.2025 passed by us is again reproduced:-

*“11. Though the respondents state that they have prepared the select list and made appointments without ‘socio economic criteria’ marks yet as the statement is disputed, we direct the respondents/Commission to file a further affidavit placing on record the select list in CET-I and CET-II exam, specifying the roll number/name of candidates/CET marks as also the cut-off in each group/category on the basis of which appointments have been made.”*

53. The Secretary of the Commission has filed his affidavit dated 26.11.2025 stating as under:-

*“That the requisite details of the candidates along with their CET marks obtained by them in CET-I and CET-II exam are as under:-*

*a) CET-I Applications were invited by the Haryana Staff Selection Commission for CET-I exam vide Advt. No. 01/2022. CET-I exam was qualifying in nature i.e. the candidate who belongs to general category was required to obtain 50% marks and the reserve category candidate was required to obtain 40% marks in the written examination without any weightage of socio-economic marks, to further qualify to appear in the CET-II exam. The candidate of general category had to obtain 47.5 marks and the candidate of reserved category had to obtain 38 marks out of 95 marks.*

*The written examination was held on on 05.11.2022 & 06.11.2022 in total four shifts and the result was declared on 10.01.2023, which the candidate can access on his/her login ID by visiting the official portal of the Commission. Total 3,59,147 candidates provisionally qualified the written exam. Therefore, the CET-I is only a qualifying exam, after which the qualified candidates become eligible to apply for the posts which are published and for which written examination i.e. CET-II is conducted.*

*b) Thereafter, the Commission invited applications for CET-II exam vide Advt. No. 3/2023 on 07.03.2023 for Group-C posts in various Departments/Boards/Corporations, which were bifurcated into 401 categories in 63 groups. Total 3,20,132 candidates out of 3,59,147 qualified candidates of CET-I, had applied for these 401 categories in 63 groups, with each group having posts of similar qualification.*

*However, so far as 24 groups in question are concerned, the number of candidates applied in 09 groups viz. group No. 16, 17, 22, 23, 30, 32, 43, 47 & 48 were less than four times of the number of advertised posts in these groups. In rest of 15 groups viz. 11, 12, 13, 19, 24, 28, 35, 46, 51, 52, 55, 20, 44, 49B & 50, although the number of candidates applied for the post were more than 4/5 times of the advertised posts but the number of candidates who fulfilled the eligibility criteria were less than 4/5 times of the advertised posts, in accordance to Proviso 9(i) of CET Policy dated 05.05.2022. The name, roll number, category, CET marks etc. of these candidates are annexed herewith as*

*Annexure R-1/1. From the perusal of select list/shortlisted of the candidates, it is clearly revealed that all these candidates had qualified the eligibility criteria by scoring 50% & 40% or more marks in the written examination without getting any benefit of socio-economic marks i.e. the candidates of general category had obtained 47.5 marks or more and the candidates of reserved category had obtained 38 marks or more out of 95 marks.*

*c) CET-II- As in the case of CET-1 exam, in the CET-II exam also the candidates were required to obtain minimum 50% marks for general category and 40% marks for reserved category out of 97.5 marks to qualify the exam. After, obtaining the requisite qualifying marks, the candidate was further eligible for socio-economic marks i.e. 2.5 marks. The written examinations for 24 groups in question were held on different dates in the months of December, 2023 & January, 2024. The result of total 10,233 candidates common in both the lists, prepared with or without socio-economic marks, was declared on 05.02.2024, as at that time socio-economic criteria was not declared unconstitutional by the Hon'ble Division Bench. However, after quashing of the socio-economic criteria the select list has been prepared only on the basis of CET marks scored by the candidates in CET II exam without getting any benefit of socio-economic marks. Total 10,458 candidates against 12,341 posts have found place in the select list, including 10,233 common candidates mentioned above, meaning thereby 1883 posts remaining vacant out of total 12,341 posts. The result of 07 candidates has been withheld/kept in sealed cover in compliance of the directions issued by the Hon'ble Court. The select list of 10,458 candidates is annexed herewith as Annexure R-1/2. As such, from the above given facts it can be safely and unequivocally said that the candidates mentioned in Annexure R-1/1 & 1/2, have found place in the select list without getting benefit of socio-economic marks and they have been selected on the basis of their CET marks only in both the exam i.e. CET-I and CET-II.”*

54. It appears that, in the judgment under review, this Court was primarily guided by the facts brought on record in respect of Groups 56-57 and, relying upon such facts, the recruitment made in respect of the posts included in 24 groups was also quashed without appreciating the distinguishing facts between the recruitment for Groups 56-57 and Group 24. This oversight led

the Court to quash the recruitment made in respect of posts falling in the posts included in 24 groups.

55. Moreover, pursuant to the liberty granted in the pending LPA, the recruitment to the posts included in 24 groups had not only proceeded but was also finalized and given effect to. Such selected candidates have been working for some time now. None of these selected candidates were impleaded as parties, nor were they given any opportunity to clarify facts relating to their appointment. We, therefore, find that prejudice has been caused to the review applicants on account of their non-impleadment, notwithstanding the fact that the recruitment was otherwise subject to pending proceedings before this Court.

56. Despite repeated opportunities granted to the intervenors opposing the prayer for review, not a single instance has been brought to our notice where a candidate qualifying in the CET-I was denied the opportunity to appear in the CET-II on account of low marks, in the posts included in 24 Groups. Marks under socio economic criteria head had thus, otherwise no impact on the merit list based on CET-I exam, for being called to appear in CET-II. The Division Bench, therefore, erred in quashing the CET results declared on 10.01.2023 and 25.07.2023 and in directing the Commission to prepare a fresh merit list solely on the basis of CET marks of the candidates who appeared in the recruitment. The consequential direction to issue a fresh advertisement for CET-II or to declare the cut-off for participation also requires review. The observations made in the judgment dated 31.05.2024 to frame rules for the conduct of recruitment by the Commission, restricting the discretion of its officers or members, shall, at best, be directory in nature and shall apply to future recruitment. The candidates selected and appointed

against the posts included in 24 groups shall be allowed to continue in service in accordance with law.

57. No other illegality/shortcoming in the recruitment process has been highlighted in the judgment under review for quashing the selections and appointments made in respect of the posts included in 24 groups.

58. These review applications are accordingly ***disposed of***.

59. All pending miscellaneous applications, if any, shall also stand disposed of.

60. A photocopy of this order be placed on the files of other connected cases.

**[ASHWANI KUMAR MISHRA]  
JUDGE**

**[SUDEEPTI SHARMA]  
JUDGE**

**MARCH 27, 2026**

*Ess Kay/rajesh/Rahul Joshi*

- |                               |   |        |
|-------------------------------|---|--------|
| 1. Whether speaking/reasoned? | : | Yes/No |
| 2. Whether reportable?        | : | Yes/No |