

ITEM NO.12

COURT NO.7

SECTION XIV

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). 17914/2022

(Arising out of impugned final judgment and order dated 31-05-2022 in CWP No. 578/2021 passed by the High Court Of Himachal Pradesh At Shimla)

THE STATE OF HIMACHAL PRADESH & ORS.

Petitioner(s)

VERSUS

RAJESH KUMAR

Respondent(s)

(FOR ADMISSION and I.R. and IA No.151863/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 31-10-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Mr. Himanshu Tyagi, AOR(AAG)

For Respondent(s)

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

Learned counsel for the petitioners submits that the respondent was not qualified to participate in the selection process for the reason that 45% marks for undergraduate course is the minimum qualifying marks for participating in the process, however, the petitioner has secured only 44.8% marks and principle of rounding of theory is not permissible in the open competition and places reliance on the judgment of this Court reported in (2011) 8 SCC 108.

Issue notice, returnable on 28.11.2022.

In the meanwhile, there shall be stay of the impugned judgment dated 31.05.2022 passed in CWP No. 578/2021 until further orders.

(MONIKA DEY)
COURT MASTER (NSH)

(ASHWANI KUMAR)
ASTT. REGISTRAR-cum-PS