

Reporting Items of Item 64 of 59th Meeting of EC held on 7th January 2025

Item 59.64.1: Reporting to the Executive Council on Hon'ble High Court case of Dr. Pradeep Singh vs Union of India & Others (CWP 29545 of 2023)

Subject: Stand of the University in Civil Writ Petition before the Hon'ble Haryana and Punjab High Court

Background:

The Hon'ble Haryana and Punjab High Court, in the civil writ petition filed by **Pradeep Singh vs Union of India & Others**, has sought the stand of the University.

Actions Taken:

1. The University office provided the relevant facts of the case.
2. These facts were submitted to a **retired Hon'ble High Court Judge** for legal opinion.
3. The legal opinion of the **Hon'ble Judge (retired)** was considered and agreed upon.
4. This decision was taken under the authority vested in the Vice- Chancellor under **Section 11(3) of the University Act-2009**.

This is submitted for the information of the Council.

Item 59.64.2: Reporting to the Council on the Disposal of Civil Writ Petition Dr. Pradeep Singh vs Union of India & Others

Subject: Compliance with the Directions of the Hon'ble Haryana and Punjab High Court

Background:

The Hon'ble Haryana & Punjab High Court has disposed of the civil writ petition filed by Dr. **Pradeep Singh** after the University submitted its stand, which was obtained based on the legal opinion of a **retired Hon'ble High Court Judge**.

Actions Taken:

1. The Hon'ble High Court directed the University follow the procedure resulting into issue of **Show Cause Notices** to Dr. **DPS Punia and Dr. Monika**.
2. In compliance with the court's direction and based on the legal opinion obtained, the **Show Cause Notices** have been issued.
3. This action has been taken under the authority vested in the Vice-Chancellor under **Section 11(3) of the University Act**.

This is submitted for the information of the Council.

Enclosures for item 1 and 2: Hon'ble Court interim decisions (Annexure 1 and 2) and final decisions (annexure 3) and Opinion of the Hon'ble High Court judge (retired) (Annexure IV name of the High Court and Judge is kept Confidential).

**Agenda Item 59.64.3 : Reporting to the Executive Council on Action Taken
Regarding EWS Certificate Verification of Dr. Gajinder Singh**

Subject: Ineligibility of Applicant for Assistant Professor based on EWS Certificate Verification

Background:

The **EWS certificate** submitted by an applicant for the post of **Assistant Professor**, issued by the **Tehsildar**, was taken up for verification.

Actions Taken:

1. A **committee comprising two Ex-Vice-Chancellors and a Ex-Registrar** was constituted to examine the matter of EWS certificate on a Complaint. Show cause was issued and reply received was examined by the committee. The final Report is attached.
2. Upon verification of records, it was found that the **applicant's family owns more than 5 acres of land**, rendering him **ineligible** under the EWS criteria.
3. Based on the committee's **recommendation**, necessary action has been taken to cancel the appointment.
4. The decision was made under the authority vested in the **Vice-Chancellor under Clause 11(3) of the University Act** and has been duly conveyed and acted upon.

The matter went to Court and Interim decision is attached as Annexure 6.

This is submitted for the information of the **Executive Council**.

Enclosures: Report of the Committee (Annexure 5) and Interim High Court Decision (Annexure 6)

Registrar(l/c)

112 CWP-29545-2023

PARDEEP SINGH VS UNION OF INDIA AND ORS

Present: Mr. Ravinder Malik, Advocate for the petitioner.

Mr. Puneet Gupta, Advocate for respondent Nos.3 and 4.

The present petition is for issuance of writ in the nature of certiorari *inter alia* praying for quashing of the minutes of meeting dated 13.12.2019 (Annexure P-18) as well as directing the respondent Nos.1 to 4 to carry out selection for the post of Associate Professor afresh pursuant to the said advertisement on 11.09.2019 (Annexure P-5).

Learned counsel for the petitioner has submitted that there are grave irregularities in the selection procedure and one of them is that respondent No.5 (Ex Dean) was a member of the Selection Committee which has selected respondent No.6 (wife of respondent No.5) as an Associate Professor. Moreover, there was no criteria fixed for the selection. The petitioner had already approached this Court by filing CWP-36042-2019, which was pending and despite that the respondents went ahead to give colour to their ill designs.

Notice of motion for **17.09.2024**.

Mr. Puneet Gupta, Advocate, accepts notice on behalf of respondent Nos.3 and 4 and prays for time to file his response.

In the meantime, the appointment of respondent Nos. 6 and 7 as an Associate Professor vide Annexures P-18 and P-19 shall be stayed and they shall not be paid any emoluments or pay on the basis of Annexures P-18 and P-19 till further order. All the excess amount already paid to respondent Nos.6 and 7 shall be subject to outcome of this petition.

Respondent Nos.5 to 13 be served *dasti* as well for the date fixed.

(ALOK JAIN)
JUDGE

272

CWP-29545-2023

PARDEEP SINGH V/S UNION OF INDIA AND ORS

Present: Mr. Ravinder Malik (Ravi), Advocate,
for the petitioner.

Mr. Ravi Sharma, Advocate and
Mr. Kamal, Advocate,
for respondent No.2.

Mr. Puneet Gupta, Advocate,
for respondents No.3 and 4.

Mr. Sajjan Singh, Advocate for
respondents No.5 and 6.

Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Rahul Deswal, Advocate,
for respondent No.7.

Mr. Arjun Singh, Advocate,
for respondents No.8, 9, 11 and 13.

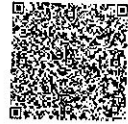
Mr. Surender Pal, Advocate,
for respondents No.10 and 12.
for respondent No.2

Learned counsel for respondents No.3 and 4 prays for time to
obtain instructions as to whether the University stands by the selection or
not.

Adjourned to 19.12.2024 at 02.00 p.m.

28.11.2024
parveen kumar

(AMAN CHAUDHARY)
JUDGE



Annexure - III

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

237+108

CWP-29545-2023 (O&M)

Date of decision: 17.02.2025

Pardeep Singh

...Petitioner

VERSUS

Union of India and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Ravinder Malik (Ravi), Advocate and
Mr. Garvit Mittal, Advocate for the petitioner.

Mr. Ravi Sharma, Sr. Standing Counsel, and
Mr. Raywant Kaushish, Advocate for respondent No.2.

Mr. Puneet Gupta, Advocate
for respondents No. 3 and 4-University.

Mr. B.S. Rana, Sr. Advocate with
Mr. Nayandeep Rana, Advocate;
Ms. Anu Chaudhary, Advocate;
Mr. Sajjan Singh, Advocate for respondents No.5 and 6.

Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Rahul Deswal, Advocate for respondent No.7.

Mr. Krishan K. Chahal, Advocate for respondent No.8.

Mr. Arjun Singh, Advocate for respondents No.9, 11 and 12.

VINOD S. BHARDWAJ, J. (Oral)

CM-2404-CWP-2025

Application is allowed as prayed for subject to all just exceptions. Short rejoinder as well as annexures R-7/11 and R-7/12 are



taken on record.

Registry is directed to tag the same at an appropriate place with its paging.

Main case:

Raising a challenge to the minutes of meeting dated 13.12.2019 of the Selection Committee recommending private respondent(s) for appointment to the post of Associate Professor in the Department of Law, Central University of Haryana on regular basis, the present writ petition has been filed. A further prayer has been made for setting aside the consequent selection and appointment of respondents No.6 and 7 on the said post pursuant to the Advertisement No.CUH/4/T/R-2019 dated 11.09.2019.

Before going into the factual matrix and the dispute as well as the claims raised by the parties or commenting on the merits thereof, it would be sufficient to refer that on 28.11.2024, time was sought by the learned counsel appearing on behalf of the respondent-University, to obtain instructions as to whether the respondent-University stands by the selection or not.

Counsel for the respondent-University has handed over a communication bearing No.CUH/VCS/2024/1339 dated 17.12.2024, in a sealed cover in the Court today, the same has been opened and perused. As per the said communication, the respondent-University has taken a decision that it does not stand by the selection on the ground that the same is not in accordance with law. The said communication is taken on record as **Mark- 'A'**.

237+108

CWP-29545-2023 (O&M)

In view of the aforesaid stand now adopted by the respondent-University, learned counsel for the petitioner contends that he has no further grievance to press at this stage and would be satisfied in case the respondent-University is directed to take a consequential decision in pursuance of the decision taken by them vide communication dated 17.12.2024, in accordance with law.

Learned counsel appearing on behalf of the respondent-University submits that an appropriate decision in terms of the stand taken by the University shall be taken as per the procedure established by it, after affording opportunity of hearing to the respective parties.

In view of the above, the instant writ petition is **disposed of** as not pressed at this stage.

Liberty is, however, granted to the parties to take appropriate action, if so advised, against any subsequent action/decision that may be taken or is already taken by the respondent-University.

17.02.2025

Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

Dated: 15.12.2024

To
The Registrar
Central University of Haryana
Village Jant Pali
District Mahendergarh.
Subject: Legal Opinion.

Mr. Puneet Gupta Advocate has approached me on behalf of Central University of Haryana to seek legal opinion with regard to the appointment to the 3 advertised posts of Associate Professor in the Department of Law in the Central University of Haryana, District Mahendergarh advertised vide Employment Notice dated 11.09.2019. Copy of the relevant record, including copy of CWP No.29545 of 2023, copies of the written statements and replications etc. have been sent to me to seek opinion as to whether the selection process of the 3 posts of Associate Professor carried out by the University is valid as per law or not and if the selection is bad in law what action is required to be taken at this stage.

I have gone through the entire official record, pleadings of pending CWP No.29545 of 2023, written statements and replications etc. with regard to the selection of the 3 Associate Professors in the Department of Law in the Central University of Haryana, District Mahendergarh advertised vide Employment Notice No.CUH/4/T/R/2019 dated 11.09.2019. The qualifications and experience etc. stipulated in the Advertisement for the post of Associate Professor was as per the "UGC Regulations on Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2018". The last date for the

- submission of the online application form as well as for the submission of hard copy of the online application form alongwith self attested required documents was 11.10.2019.

From a perusal of the aforesaid records supplied to me, the following glaring discrepancies during the selection process to the post of Associate Professor in the Department of Law held during 2019 at Central University of Haryana are observed as under:

1. On 07.11.2019, an e-mail was sent to the members of Scrutiny Committee for the meeting of the Scrutiny Committee scheduled for 12.11.2019. However, the actual meeting of the Scrutiny Committee was held on 11.11.2019. The University has stated that it has no record with regard to the change of the date of the meeting of the Scrutiny Committee.
2. Dr. Rajesh Kumar Malik recused from participating in the Meeting of the Scrutiny Committee citing personal reasons but did not disclose regarding his relative (wife) had applied for the post of Associate Professor despite it being specifically mentioned in the email dated 07.11.2019 that "You are also requested to undertake that neither you nor any close relative is an applicant for the above-mentioned posts." No undertaking was ever given by Dr. Rajesh Kumar Malik in respect of the above and he also did not fill in the required form.
3. The Meeting of the Scrutiny Committee took place on 11.11.2019 despite the fact the date of meeting of the Scrutiny Committee was 12.11.2019.
4. The Official Noting (NP-5) shows the names of Dr. Preet Singh and Dr. Rajpal Sharma as members of the Scrutiny Committee for the scrutiny of the applications to the post of Associate Professor in the Department of Law. Dr. Rajesh Kumar Malik was not appointed as member of the Scrutiny Committee but an email has been sent to him on 07.11.2019 for meeting of

the Scrutiny Committee and his refusal dated 11.11.2019 on print out of the email sent to him on 07.11.2019. Nothing is forthcoming from the record as to why the email dated 07.11.2019 was sent to Dr. Rajesh Kumar Malik despite he was never nominated as a member of the scrutiny committee for the post of Associate Professor in the Department of Law.

5. The list of Scrutiny Committee members was never approved by the Vice Chancellor in respect of the aforesaid selection.
6. An e-mail was sent on 18.11.2019 to the candidates for furnishing the information/documents against the observations raised by the Scrutiny Committee members by 24.11.2019 through e-mail only at recruitment@cul.ac.in and the e-mail in respect of Dr. Monika (Selectee) was sent on the email id of Dr. Rajesh Malik (Her Husband).
7. The following observations were raised by the Scrutiny Committee in the application submitted by Dr. Monika:
“Provisionally Eligible subject to submission of the following:
(a) Evidence that no kind of leave was availed to pursue research degree simultaneously with teaching assignment.
(b) Evidence of publications mentioned in the application form at Sr. No. 4.1
(1) – 4,6,7,10,11,12,13,14,15,17,19,21,25 that the same are published in UGC listed Journals.”
8. In reference thereto, no e-mail from Dr. Monika was received as per official records.
9. The Second Meeting of the Scrutiny Committee was held on 26.11.2019 and Dr. Monika was found to be Provisional Eligible despite the above lacuna.
10. The Experience Certificates of other Candidates have been sent to Dr. Monika's e-mail on 11.12.2019 from the official email of Legal Cell of this University and to Dr. Rajesh Kumar Malik (Her Husband).

- 11. The representations of Candidates including Dr. D P S. Punia's were sent to Dr. Monika's e-mail id.
12. The intimation regarding the meeting of the Selection Committee as an Expert was sent through e-mail to Dr. Rajesh Kumar Malik (Husband of Dr. Monika) in the capacity of Dean of the School.
13. Dr. Rajesh Kumar Malik (Husband of Dr. Monika) attended the Meeting of the Executive Council held on 27.01.2020 which approved the selection of Dr. Monika.
14. The experience of Dr. Pardeep Singh (Petitioner) was not accepted by the Scrutiny Committee and the Selection Committee as he claimed but the claimed experience of Dr. Monika and Dr. Punia accepted and then they were selected.
15. Dr. Virender Singh Sindhu submitted the hard advance copy of his application form, without self-attested documents, which was a mandatory condition as per Clause 3 of the Advertisement. It was dispatched vide registered post dated **18.10.2019 i.e. after the last date of receipt of applications (11.10.2019).**
16. Dr. Virender Singh Sindhu had submitted his application form for recruitment after the cut-off date of receipt of the application form. The hard copy of his application form was received on **18.11.2019** i.e. after the alleged Scrutiny Committee meeting which took place on **11.11.2019**. As per the Advertisement the complete hard copy was also required to be submitted **by 11.10.2019**. Clauses 3 and 21 of the Advertisement dated 11.09.2019 specifically provided for the outright rejection of any late/incomplete application form.
17. The Scrutiny Committee did not consider Dr. Pardeep Singh eligible on the ground that the incumbent was drawing total gross emoluments not less than

the monthly gross salary of a regularly appointed Assistant Professor. Dr. Pardeep Singh who was paid salary ranging from Rs. 35,000/- p.m. in January 2011 to Rs. 43,500/- p.m. in December 2013. Whereas, the experience of Dr. Monika was considered for the period from April 2011 to February 2012 and she had drawn salary of Rs. 25,155/- to Rs. 28,035/- as per the records submitted by the Chhaju Ram Law College, Hisar to the University vide letter dated 26.10.2024.

18. As per record supplied by the Chhaju Ram Law College, vide their letter No. CRLC/10/378 dated 30.06.2010 Dr. Monika was offered an appointment to the post of Lecturer in Law College on a "temporary" capacity and the selection committee counted this experience.
19. The Subject Experts for the selection were not approved by the Vice Chancellor and not drawn by the Academic Council of Central University of Haryana against the mandate of Rule 2(i) A (iii) of Statute 18 of the University Statutes and as per UGC Regulations 2018 Rule 5.1 II (a) (iii).
20. There is nothing in the official record of the University to show as to how the subject experts were called for taking Interview.
21. Dr. D.P.S. Punia, another selectee has stated in his written statement filed in CWP No. 29545 of 2023 in paragraph no. 1 of the preliminary submissions that he completed his Ph.D. in Criminal Law from Panjab University, Chandigarh in the year 2010. Dr. D.P.S. Punia was initially appointed as Assistant Professor on Adhoc basis in Rayat College of Law (Ropar) w.e.f. 01.09.2009, but was also not having the qualification of UGC NET as per the official record. One of the essential qualifications for appointment to the post of Assistant Professor at the relevant point of time i.e. on 01.09.2009 was UGC NET. Once the initial appointment of Dr. D.P.S. Punia was not valid or as per UGC Regulations applicable at that time, the experience of

that period i.e. w.e.f. 01.09.2009 to 20.07.2011 cannot be counted for appointment to the post of Associate Professor. However, the aforesaid experience of Dr.D.P.S. Punia has been counted by the scrutiny committee as well as the selection committee for appointment to the post of Associate Professor, which is contrary to the UGC Regulations, 2018.

Therefore, in view of the above it can be safely said that the entire selection process carried out for appointment to the post of Associate Professor is apparently based upon collusion and arbitrariness. Perusal of the record reflects clear high handedness on part of the higher officials of the University, who were involved in the selection process for the post in question, in order to ensure the selection of the candidates of their choices. The selection process does not appear to be fair and transparent.

Therefore, if any lenient view is taken on the facts of the present case in favour of the selected candidates then it would amount to putting premium on dishonesty and corrupt practice which on the facts of the present case should not be permitted. Mere lapse of time does not legitimize a fraudulent practice and the same cannot subsequently attain any legal sanctity.

Thus, it is advisable that the entire selection process be set aside as it is based upon collusion and arbitrariness and the selected candidates are liable to be relieved as per law.

It is further made clear that the aforementioned views are my personal opinion on the basis of the record supplied to me and cannot be used for the purposes of any litigation pending before any court of law.



हरियाणा केंद्रीय विश्वविद्यालय
CENTRAL UNIVERSITY OF HARYANA
(Established vide Act No. 25 (2009) of Parliament)
Mahendergarh (Haryana)-123031

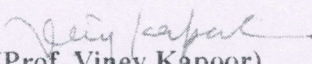
ENQUIRY REPORT


1. Vide Notification No. CUH/2024/Estt. Sec./T/326 dated 13.05.2024, the Vice Chancellor has constituted a two members Committee comprising of Prof. (Dr.) Viney Kapoor, Former Vice Chancellor, Dr. Bhim Rao Ambedkar National Law University, Sonapat, Haryana and Dr. Madan Lal, Former Registrar, Indira Gandhi University, Meerpur, Rewari to check and verify the EWS certificate submitted by Dr. Gajender Singh, Assistant Professor in the Department of Physical Education and Sports at Central University of Haryana. Sh. Surender Kumar Sharma, Advocate, High Court of Punjab and Haryana, Chandigarh has been invited as a special invitee in the meeting vide Notification No. CUH/2024/Estt. Sec./T/490 (a) dated 19.06.2024.
2. The first meeting of the committee was held on 20.06.2024 at 11.00 a.m. at Transit Campus of Central University of Haryana at Gurugram. Assistant Registrar, Establishment Branch apprised the members about the case and presented the complaint filed by Mr. Mandeep Singh dated 14.11.2023 stating that the EWS certificate of Mr. Gajender Singh who has been selected against the post of Assistant Professor in the Deptt. of Physical Education and Sports is not genuine.
3. After careful perusal of the complete record, the committee found that the University after appointment of Dr. Gajender Singh got the EWS certificate verified from the issuing authority, i.e. Tehsildar Tohana vide Memo No. 551 dated 22.12.2023. Tehsildar Tohana vide Memo No. 451 dated 22.12.2023 verified that the EWS certificate No. EWS/2023/2 Dated 03.01.2023 of Gajender Nain S/O Sh. Ram Kumar, R/O Village Bhimewala Tehsil Tohana Distt. Fatehabad is correct and true as per office record.
4. The Committee has also been informed that before this report on the authenticity of issuance of EWS Certificate from the concerned Deptt., the University received a complaint from Mr. Mandeep Singh S/O Sh. Joginder Singh R/O Village Singhpura, Distt Rohtak, Haryana, who happened to be one of the applicant to the post of Assistant Professor in the Department of Physical Education and Sports. He has alleged that the benefit of EWS category can be taken by the candidate who has less than 5 Acres of agriculture land whereas, Gajender Singh S/O Ram Kumar who is selected under EWS category is owner of more than 6 acres of agriculture land. He has also enclosed report of Tehsildar Narwana

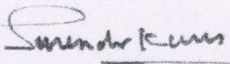
and Tehsildar Tohana along with Jamabandi to corroborate his contention. The complainant has made a complaint alongwith certified copy of revenue report which prime facie established that the Dr. Gajender Singh does not fall in the EWS category as he has in his name more than 6 acres agricultural land at Tohana and Narwana.

5. That accordingly the University vide letter No CUH/99/Estt. Sec./2024 dated 08.02.2024 got this document verified from Tehsildar Tohana. Tehsildar Tohana forwarded the said letter of the University to Tehsildar Narwana with a request to send the report of income and assets/agriculture within a week so that both the reports of Tehsil Narwana and Tehsil Tohana are forwarded to the University. The Tehsildar Tohana vide Memo 517 dated 20.03.2024 forwarded his report verifying that Gajender Singh has less than 5 acres of agriculture land in Tohana but did not mention the actual land. However, Tehsildar Tohana in his report dated 10.03.2023 verified that as per Jamabandi 2018-19, Khewat 169, Khatoni No. 249, Sh. Gajender Singh S/O Sh. Ram Kumar is owner of 34 Kanal, 17 Marla agriculture land in Village Bhimewala, Tehsil Tohana, District Fatehabad and the report of Tehsildar Narwana dated 03.03.2024 verified that Sh. Gajender Singh is owner of 13 Kanal and 10 Marla agriculture land (as one third share) of agriculture land in Dhanauda Khurd (as one third share) out of 40 Kanal 8 Marla agriculture land of the family and the value of this agriculture land is as per Collector rate @ Rs. 14,50,000 per acres comes of 73,22,500/- (total value of share of Gajender Singh is Rs. 24, 46,875/-).

After scrutiny of the various documents mentioned above, the committee is of opinion that the total land of Sh. Gajender Singh is more than 6 acre and hence does not come under the purview of EWS category. Hence the competent authority should take appropriate action against the candidate as per legal course.


(Prof. Viney Kapoor)


(Dr. Madan Lal)


(Sh. Surender Kumar Sharma)
20/6/2024

CWP-34199-2024

DR. GAJENDER SINGH VS STATE OF HARYANA AND ORS

Present: Mr. Amit Jhanji, Senior Advocate with
Mr. Jasbir Mor, Advocate and
Mr. Abhishek K. Premi, Advocate
for the petitioner.

Mr. Puneet Gupta, Advocate
for the caveator-University.

It is, *inter alia*, contended that the petitioner was appointed as Assistant Professor (Physical Education) in the University pursuant to advertisement/employment notice dated 08.09.2021, Annexure P-1; last date to apply for the same was 30.09.2021. The appointment was as an Economically Weaker Section (for short, 'EWS') category candidate on the basis of a certificate dated 16.09.2021, Annexure P-4, valid for 2021-2022, vide appointment letter dated 18.01.2023, Annexure P-7. On receiving a complaint regarding validity of the certificate, and that he did not belong to EWS category, the University constituted a committee. It reached the conclusion that the petitioner's family property was more than five acres, which was the maximum limit prescribed for a person to be considered as belonging to EWS category, and cancelled the appointment vide impugned letter/order dated 11.12.2024, Annexure P-20, passed by the Registrar statedly with the approval of competent authority.

2. Learned Senior counsel contends that the order is without jurisdiction and the Registrar has no authority to cancel the appointment, as the appointing authority is Executive Council. He also contended that the very basis of cancelling the appointment is unsustainable since, at the relevant time, the petitioner owned less than five acres of land, and had

rightly been issued the EWS category certificate dated 16.09.2021, which is still valid. The Committee's report, based upon which the impugned order was passed, relied upon the fact that petitioner's father also owned certain land which made the total landholding of family above five acres. This was factually incorrect, since at the relevant time, the petitioner owned land within the prescribed limit, and only after his father's demise on 02.06.2022, the share of ancestral land was mutated in his name on 22.11.2022.

3. Learned counsel for the caveator-University, contends that the petitioner's services have been rightly terminated. The order has been passed by the competent authority/Vice Chancellor under Section 11(3) of the University Act, in anticipation of approval by the Executive Council. He further contends that as per the criteria in instructions dated 25.02.2019, Annexure P-23, the property held by a family in different places/cities has to be clubbed while applying the land or property holding test to determine EWS status. Accordingly, at the time of applying for the post, the petitioner's total family holding after including his father's land, was more than the maximum prescribed limit. It shows the certificate of EWS category was wrongly procured by the petitioner.

4. Considering the submissions, this Court is *prima facie* of the view that the petitioner's status as an EWS category candidate, in terms of certificate dated 16.09.2021, stands unchallenged as on date. The certificate has not been cancelled or withdrawn. Besides, the transfer of ancestral land in the petitioner's name on the demise of his father, by way of subsequent mutation dated 22.11.2022, cannot take away his EWS status retrospectively.

5. Notice of motion.

6. Ms. Tanushree Gupta, DAG, Haryana accepts notice on behalf of respondent/State. Mr. Puneet Gupta, Advocate accepts notice on behalf of

respondents no. 2 to 4, and seeks time to file reply.

7. Adjourned to 28.03.2025.

8. In the meanwhile, the operation of the impugned order, dated 11.12.2024, shall remain stayed.

(TRIBHUVAN DAHIYA)
JUDGE

19th December, 2024
Seema