

**HARYANA GOVERNMENT  
GENERAL ADMINISTRATION DEPARTMENT  
(HUMAN RESOURCES-II BRANCH)  
No. 42/63/2023-5HR-II**

Dated Chandigarh, the 22<sup>nd</sup> May 2024

To

1. All the Administrative Secretaries to Government Haryana.
2. All the Heads of Departments in the State of Haryana.
3. All the Managing Directors / Chief Administrators / Chief Executive Officers of all Boards/Corporations in the State of Haryana.
4. All the Divisional Commissioners in the State of Haryana.
5. All the Deputy Commissioners in the State of Haryana

**Subject: - Regarding filing of reply of court cases filed by Clerks who are ousted in the revised result dated 23.06.2022 against Advt. 05/2019.**

-----

Sir/Madam,

I am directed to invite your attention on the subject cited above and to inform you that in compliance of order dated 25.04.2022 in CWP No. 15672 of 2021, Haryana Staff Selection Commission has revised the result dated 03.09.2020 for the post of Clerk on 23.06.2022. Some previously recommended/appointed candidates have been ousted from the revised final result in view of scrutiny conducted as per directions of Hon'ble High Court. Thereafter, these ousted candidates obtained the stay from the Hon'ble High Court vide order dated 06.07.2023 in CWP No. 14017 of 2022.

2. The CWP No. 14017 of 2022 & 14063 of 2022 and other connected matters were dismissed by the Hon'ble High Court vide order dated 12.10.2023 and 7.10.2023 respectively and the stay got vacated.


3. Now, some of these ousted candidates have filed LPAs against the judgment dated 07.10.2023 and 12.10.2023 and obtained the stay again. Various Departments/Boards/Corporations are seeking clarification(s) regarding joining of these ousted candidates in compliance of stay orders in various LPAs passed by Hon'ble High Court.

4. In this context it is informed that State Government has already been decided vide instructions of even number dated 01.09.2023 to create the supernumerary posts on a temporary basis for candidates with a Status Quo Order/ Interim Relief order, specifically in their favour ( by name ). Such temporary creation of supernumerary posts shall be done temporarily only till vacation of the Stay Order/modification of Interim Relief orders, and only to draw the salary. No other benefits shall accrue to the ousted candidates working on interim relief from Court.

5. The State Government has considered the matter and decided that proposals for creation of supernumerary posts shall not be considered, except on a temporary basis for candidates with a Status Quo order / Interim Relief order, specifically in their favour (by name). Such temporary creation of supernumerary posts shall be done temporarily only till vacation of the Stay order / modification of Interim Relief orders, and only to draw the salary. No other benefits shall accrue to the ousted candidates working on interim relief from Court.

6. The State Government has re-considered the matter and it has been decided that all Administrative Secretaries shall file reply against the stay orders/interim orders passed by Hon'ble High Court in various LPAs on behalf of their respective department(s)/Board(s)/Corporation(s) etc. qua the ousted Clerks against the Advt. No. 05/2019, Cat. No. 01. It is also clarified/confirmed that instructions dated 01.09.2023 regarding creation of Supernumerary posts are temporary and subject to the final outcome of the Court orders.

7. This issues with approval of the Competent Authority.

  
Superintendent Human Resources-II  
for Chief Secretary to Government of Haryana