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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CM Nos.19369 & 19370-CWP of 2023 in/and  
CWP-22469-2018

ABHAY SINGH

.....PETITIONER

VERSUS

HARYANA STAFF SELECTION COMMISSION

.....RESPONDENT

Present: Mr. S.K. Yadav, Advocate  
for the petitioner.

Mr. Sandeep Singh Mann, Addl. AG, Haryana.

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**CM-19369-CWP-2023**

This is an application for seeking exemption from filing certified/true typed copy of impugned order dated 18.07.2023, passed in CWP No.22469 of 2018

For the reasons mentioned in the application as well as submissions made by learned State counsel/applicant, the same is allowed. Exemption sought for is granted.

Application is disposed of accordingly.

**CM-19370-CWP-2023**

The instant application has been moved on behalf of Haryana Staff Selection Commission along with affidavit of Krishan Kumar, Deputy Secretary, HSSC i.e., respondent seeking waiver of the cost of Rs.10,000/- imposed upon him, vide order dated 18.07.2023, which reads as under:-

*“Perusal of the case file shows that vide order dated 09.01.2023, the counsel for the Commission-Respondent sought time to file counter to the replication and apprise the Court as to why the certificate, as relied upon by the petitioner cannot be taken into consideration.*

*Needful has not been done despite two opportunities,*

*another opportunity on 27.03.2023 was also awarded and thereafter, elapse of 4 months, till date, no counter has been produced by the respondent-Commission.*

*Today, again a request has been made for the same cause, though, no plausible explanation is coming forth.*

*However, in the interest of justice, one last opportunity is granted, subject to payment of cost of Rs.10,000/- to be deducted from the salary of the official, who erred in respondent to the said query put by the Court.*

*The cost shall be deposited in the account of Widow's Welfare Fund created by Punjab & Haryana High Court, Bar Association.*

*Adjourned to 21.09.2023.”*

Today, while considering the said application for waiver of the cost of Rs.10,000/-, when countered, learned State counsel candidly had to admit with no window left for him or instructions provided by Haryana Staff Selection Commission rather on instructions from Mr. Vijay, Law Officer present in Court, that the replication has not been received till date which otherwise could have been downloaded by the said commission from the Web portal provided by this Court to download the paper-books, which has been made available to the State Departments as well as other statutory bodies with the objective and purpose to avoid any kind of delay in the legal proceedings.

The cost as imposed on 18.07.2023 was on consideration that since January, 2023, the Commission did not made any attempt and have been seeking time continuously to file rejoinder but in the absence of availability of replication, the same has not been done on account of which the proceedings of this Court was deferred time and again and even today, no counter to the replication has been filed by the respondent-Commission.

This Court is at pain to see such an application, wherein the State is

seeking waiver of costs of Rs.10,000/-, that was imposed on Commission, which has a large number of LAs, LOs and ADAs but still the pleadings are not being completed in time. The present application has been filed by the State Government Instrumentality without bothering about the expenses to be incurred by this Court in listing of this application after filing of the same in the Registry including various channels like scanning, processing in the listing branch etc. apart from pressurizing the whole manpower assigned with said system in motion for such an unwarranted application.

In the light of above observations, the application stands dismissed with costs to be increased from Rs.10,000/-, which shall now be Rs.20,000/- on account of the reason for not depositing the earlier cost in time.

To complete the pleadings/paper-book, as prayed by the learned State counsel and for compliance of above direction, hearing is now deferred to 25.01.2024.

**21.11.2023**  
*Poonam Negi*

**(SANDEEP MOUDGIL)  
JUDGE**