



**Very Important/Urgent**

**OFFICE OF DIRECTOR SECONDARY EDUCATION HARYANA  
PANCHKULA**

**Order No. 10/1-2021 Admn(4)**

**Dated, Panchkula the 09-05-2024**

A copy of letter No. DA/CS/52476 dated 29.04.2024 received from Chief Secretary to Government, Haryana regarding COCP No. 517 of 2023- Naresh Kumar Vs Secretary HSSC, Panchkula & anr. is forwarded to the following for information & necessary action:-

1. Director, <sup>General</sup>Elementary Education Haryana, Panchkula.
2. Director SCERT Haryana, Gurgram.
3. All the District Education Officers in the State.
4. District Attorney (HQ).
5. All Officers/Superintendents Secondary (HQ).
6. Superintendent Coordination Branch (S).
7. Superintendent Admn. (Elementary).
8. PA/DSE.
9. PA/Additional Director (MSS).
10. PA/ Additional Director Administration.
11. PA/ Joint Director Admn.
12. PA/ Additional Director Academic.
13. All the Assistants Admn. Branch (Sec.)
14. IT Cell (HQ) for website.

  
**SUPERINTENDENT ADMN.**  
**for DIRECTOR SECONDARY EDUCATION**  
**HARYANA PANCHKULA**

1715 Pdl(y)  
9/5/24

From

The Chief Secretary to Govt. Haryana

To

1. All the Administrative Secretaries to Govt. of Haryana.
2. All Head of the Departments in the State of Haryana.
3. The Managing Directors/ Chief Administrators of all the 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.

CFMS No. DA/CS/S2476 Dated: 29.04.2024.

**Sub:- COCP No. 517 of 2023- Naresh Kumar Vs. Secretary HSSC, Panckula & anr.**

I have been directed to refer on the subject noted above and to say that the Hon'ble High Court in COCP No. 517 of 2023 titled as Naresh Kumar Vs. Secretary, HSSC, Panchkula & anr. vide order dated 24 April 2024 observed as follows:-

*"On the previous date the counsel for the respondents had intimated that the name of the petitioner had been recommended for appointment by respondent No.1 for the post of Male Constable (GD) and thereafter it is respondent No.2, who is to*

1715 Pdl(y)  
9/5/24

*Chandigarh have been taking a stand that the orders of the High Court could not be complied with in respective cases on account of prevalent Model Code of Conduct. Therefore, it has become necessary to clarify here that no code of conduct issued by Election Commission of India or any order or instructions issued by any other authority, can be permitted to stand in the way of the execution of the order of the High Court. The authorities are fully authorized and are under a legal duty to execute the orders of High Court without any specific permission from or intervention of the Election Commission of India. Therefore, this situation is being clarified by this court that the States of Punjab and Haryana, as well as, Union Territory Chandigarh shall comply with the orders passed by the High Court, irrespective of the enforcement of the Model Code of Conduct on account of Lok Sabha Elections or any other election, unless the orders passed by the High Court are actually and specifically stayed by some appellate court.*

*Let a copy of this order be sent to the Chief Secretary, Government of Haryana; Chief Secretary, Government of Punjab and Administrator, Union Territory, Chandigarh for their knowledge and necessary compliance, and also for onward communication of this order to all the departments under them.*

*It is clarified that no further excuse of prevalence of Model Code of Conduct shall be entertained by this court as a ground of non-compliance of the orders passed by the High Court, any more.*

*Adjourned to 10.05.2024, to be shown in urgent list.*

*The Registry is directed to dispatch the copy of this order by tomorrow itself. The copy be sent through electronic mode, as well as, by sending special messengers."*

In view of above, you are, therefore requested to ensure the compliance of above said order in its letter and spirit.

  
District Attorney

for Chief Secretary to Govt. Haryana