

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

C.W.P. No.25708 of 2012 (O&M)
DATE OF DECISION : 20.11.2015

Mrs.Teena Andotra

PETITIONER

VERSUS

State of Haryana and another

RESPONDENTS

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

1. Whether reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present:- Shri N.S.Panwar, Advocate for the petitioner.

Shri Hitesh Pandit, Additional A.G. Haryana.

Shri H.N.Mehtani, Advocate for the H.P.S.C.

MAHESH GROVER, J.

The petitioner pleads for right for consideration after having applied for the post of Child Development Project Officer (Female) Class-II. The educational qualifications were prescribed in the advertisement and for the purpose of reference, the relevant portion of the advertisement is extracted here below :-

3. Essential Qualifications :-

- (i) M.Sc. Home Science from a recognized University with specialization in Food and Nutrition or Child Development with at least 50% marks.

Or

M.A. Psychology with specialization in Child Psychology or M.A.Child Development and Family Studies with at least 50% marks.

- (ii) Hindi/Sanskrit upto Matric standard or Higher education.

NOTE: 50% of the quota posts shall be filled from M.Sc. Home Science (Food and Nutrition) and 50% shall be filled from M.A.Psychology with specialization in Child Psychology or M.A.Child Development/Human Development and Family Studies.

The petitioner possesses the qualification of M.Sc. in Human Development and Family Studies and M.Sc. in Child Development. She has been denied consideration on the ground that she does not fulfill the qualification as the advertisement prescribes only M.Sc. Home Science (Food and Nutrition) or Child Development with atleast 50% marks or in the alternative, a degree in M.A. Psychology with specialization in Child Psychology or M.A. Child Development and Family Studies with atleast 50% marks. The Note appended to the advertisement extracted above indicates 50% posts to be filled from persons having the qualification of M.Sc. Home Science (Food and Nutrition) and 50% from M.A.Psychology with specialization in Child Psychology or M.A.Child Development/Human Development and Family Studies.

The petitioner makes a reference to the rules governing the service

conditions which prescribe the following qualifications :-

“(i) M.Sc. Home Science form a recognized University with specialization in Food and Nutrition.

OR

Master in Psychology with specialization in Child Psychology from a recognized University with atleast 50% marks/Master Degree in Child Development/Human Development and Family Studies.

(ii) Hindi/Sanskrit in Matric standard or higher education.”

On due consideration of the matter, I find that exclusion of the petitioner from the process of selection is not justified noticing her qualifications of M.Sc. in Human Development and Family Studies which conforms to the rules prescribing Master degree in Child Development/Human Development and Family Studies.

Since the petitioner possesses the requisite qualification, I am of the view that the writ petition deserves to be allowed with a direction to the respondents to consider the candidature of the petitioner for the said post and afford her an appointment in case she is otherwise eligible. Ordered accordingly.

November 20, 2015
GD

(MAHESH GROVER)
JUDGE