

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.7054 of 2015
Date of decision: 10.04.2015

Amandeep Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Gaurav Singla, Advocate, for the petitioner.

1. Whether reporters of local papers 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?

ARUN PALLI J. (Oral)

Writ in the nature of certiorari is prayed for so as to quash the selection of private respondents No.5 to 7, as Supervisors. As also the procedure, that was adhered to by the respondents for the purpose of selection. Further, a direction is sought to the respondents to recast the selection list in terms of the advertisement dated 10.07.2013, issued by the respondents.

It is averred that vide advertisement published in "Rozana Ajit" on 10.07.2013 (Annexure P1), 286 posts of Supervisors were advertised. The advertisement envisaged that the candidates, who were working as Anganwari Workers, were eligible to apply. And they were further categorized in two categories i.e. (i) the Anganwari workers who had matric pass and; (ii) the Anganwari workers who are B.A. pass. Petitioner

competed for selection against the said post and in the merit list, prepared by respondent No.4, she was placed at serial No.1. However, respondent No.3 i.e. Secretary, Child Welfare Council, Punjab, altered the said merit list. And resultantly, the petitioner was brought down to serial No.4. The reason assigned in this regard is; that as per the advertisement, the additional marks for Post Graduation i.e. MA, could be counted only upto two MAs. And no candidate could claim additional marks for having done 3rd/4th MA. It is maintained that while altering the merit list, respondent No.3 did not obtain any option from the petitioner as to marks of which additional MA be considered or counted. Further, if the marks obtained by the petitioner not in MA Sociology but MCA were factored in, petitioner would have made a cut in the selection list. It is averred that prior to the institution of this petition, petitioner had represented to respondent No.3, by moving a comprehensive representation dated 21.03.2015 (Annexure P5), which is still pending consideration, as no formal order has yet been passed thereon.

Learned counsel for the petitioner, having argued the matter at some length, submits that, at this stage, let this petition be disposed of only with a direction to respondent No.3, to consider and decide the representation made by the petitioner within a specified time. And by passing a speaking order.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondent No.3, to consider and decide the claim of the petitioner, as set out in her representation dated 21.03.2015 (Annexure P5), strictly in accordance with law, within a period of three months from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

April 10, 2015
Rajan

(Arun Palli)
Judge