

**Sr. No. 222
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.17960 of 2014 (O&M)
Date of Decision: 23.08.2016**

Sangeeta

... Petitioner

Versus

The State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. P.K.Rohilla, Advocate,
for the petitioner.

Mr. Ravi Pratap Singh, AAG., Haryana.

TEJINDER SINGH DHINDSA, J.

Petitioner who belongs to the general category had applied for the post of PGT (History) in a process of selection conducted by the Haryana School Teachers Selection Board. Concededly, the petitioner has secured a total of 52.62 marks. The last candidate selected against the general category for the post of PGT (History) has secured 53.81 marks.

The entire case set out on behalf of the petitioner is that in spite of possessing higher qualification i.e. M.Phil in the concerned subject (History), petitioner has not been awarded additional 02 marks as per criteria adopted by the Board. Counsel submits that action of the respondent Board is arbitrary inasmuch as the petitioner was entitled for 02 marks on account of possessing the qualification of M.Phil (History) in relation to the post of PGT (History) and if such weightage was granted, the petitioner would secure more marks than the last candidate selected.

Upon notice of motion having been issued, a reply on behalf of

respondent No.3 has been filed.

Stand taken on behalf of the selection agency is that the petitioner had filled up and submitted form online and had indicated her higher qualification to be M.Phil (Education) and not M.Phil (History). Accordingly, it is stated that 02 marks for higher qualification were rightfully not awarded to the petitioner. The factual position as regards the petitioner having filled up M.Phil (Education) in the application form and not M.Phil (History) is not rebutted by the counsel appearing for the petitioner. Petitioner has also not chosen to file any replication to the written statement.

The criteria adopted by the Haryana School Teachers Selection Board for the post of PGTs against the advertisement in response to which the petitioner had applied has been placed on record and appended as Annexure P-10 along with the petition. As per criteria, out of a total of 100 marks, 67 were earmarked towards academic criteria and 33 for viva-voce/interview. Under the academic criteria and in clause 3, a weightage of up to 05 marks was envisaged for possessing higher qualifications. Weightage of 03 marks was provided to a candidate who had Ph.D. in the concerned subject and 02 marks to a candidate who had M.Phil in the concerned subject.

Clearly, since the petitioner had applied for the post of PGT (History), it is only upon possessing and indicating in the application form that she possessed either Ph.D. in History or M.Phil in History that she could claim weightage towards higher qualifications.

Concededly, in the application form the petitioner had not indicated as regards her possessing M.Phil in the concerned subject

(History). Under such circumstances, no infirmity can be found in the action of the recruitment agency in having denied to the petitioner weightage towards higher qualifications.

At this stage, it would also be apposite to take note of the stand taken on behalf of respondent No.3 and in para 2 of the written statement wherein it is stated that in the representation dated 07.05.2014 submitted by the petitioner even though she had claimed to have passed M.Phil (History) from Madurai Kamaraj University on 30.05.2008 but simultaneously the petitioner has also claimed to have qualified M.Ed. from Kurukshetra University, Kurukshetra in the same year i.e. in May, 2008. A doubt has also been cast by the recruitment agency as regards the petitioner possessing two degrees awarded from two different Universities and in the same academic year and for two different subjects.

In the totality of circumstances, no interference in the matter is called for.

Petition is dismissed.

23.08.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No