

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Misc. Nos.716 and 717 of 2016 in/and
Civil Writ Petition No.26743 of 2015
Date of decision: 20.1.2016

Vijayta Bhagat

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Civil Misc.No.716 of 2016

Prayer made in the present Civil Misc. Application for granting exemption from filing certified/original copy of Annexure P/7 is allowed subject to just exceptions.

The Civil Misc. Application stands disposed of accordingly.

Civil Misc.No.717 of 2016

Prayer made in the present Civil Misc. Application for placing on record complete set of translation of advertisement as Annexure P/7 is allowed subject to just exceptions.

Annexure P/7 is taken on record and the same is substituted with earlier Annexure P/7.

Office to tag the same at appropriate place in the file.

The Civil Misc. Application stands disposed of accordingly.

Civil Writ Petition No.26743 of 2015

The petitioner seeks the declaration that action of the respondent no.2 in declaring the petitioner ineligible for the post of Rural Associate Teacher pursuant to advertisement (Annexure P/7) on the sole ground that the Schedule Caste Certificate appended by the petitioner

along with application form which was issued in the year 2009 is illegal.

The petitioner alleges that in pursuance of the advertisement (Annexure P/7) she had applied for the post of Social Studies Mistress as Schedule Caste candidate on the strength of certificate issued in the year 2009. She secured 51.94 marks in the merit and was not granted appointment on account of the fact that the schedule caste certificate was not taken into consideration as it was of earlier date. Reference is made to the advertisement (Annexure P/7) to submit that there was no such condition where the certificate had to be issued within a specified period.

Counsel for the petitioner submits that the petitioner has filed representation dated 22.1.2015 (Annexure P/11) in this regard with respondent no.2 and he would be satisfied if a direction is issued to said respondent to decide the same within some fixed time frame.

Notice of motion.

Mr. R.S.Sidhu, Assistant Advocate General, Punjab accepts notice on behalf of respondents. Requisite copies of the writ petition have been supplied to him.

Keeping in view the limited relief sought by the petitioner, this Court is of the opinion that there is no requirement of calling for any reply on behalf of the State.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of with a direction to respondent no.2 to take into consideration the representation dated 22.1.2015 (Annexure P/11) and pass an appropriate order in accordance with law within a period of two months after hearing the petitioner from the date of receipt of a certified copy of this order. In case the petitioner is to be denied the relief of appointment then a reasoned order be passed by the said respondent and be conveyed to the petitioner.

The present writ petition is disposed off with the aforesaid directions.

**January 20, 2016
Pka**

**(G.S.SANDHAWALIA)
Judge**