

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

**CWP No.3155 of 2016
Date of Decision: 16.02.2016**

Gurmeet Kaur and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present:- Mr. Balbir Singh Sewak, Advocate,
for the petitioners.

1. To be referred to the reporters or not?
2. Whether the judgment should be reported in the digest?

RAJIV NARAIN RAINA, J.(Oral)

The petitioners are scheduled caste category candidates who applied for the post of Steno Typist and Junior Scale Stenographers advertised for open competition conducted by the Subordinate Service Selection Board, Punjab-respondent No.2. A general category candidate at Sr. No. 74, namely, Karampal Kaur, daughter of Resham Singh committed 10 mistakes in the typing test and was declared eligible and has been selected at Sr. No.68 of the final merit list and has been deployed in the office of Director Prosecution and Litigation, Punjab. She is the last candidate in the general category to be selected and appointed, whereas, the petitioners have committed mistakes ranging from 9 to 9.5 and their names fall at Sr. No. 26 to 28 of the list. They have been declared eligible but the last candidate selected in the general category has committed more mistakes than them and is thus lower in merit.

Mr. Sewak submits that merit has been drawn on the basis of number of mistakes committed in the type test. It is argued that when

reserve category candidate is higher in merit than general category candidate, the result of the reserve category candidate has to be declared in general category. The petitioners have submitted a representation dated 05.01.2016 (Annexure P-5) to the Subordinate Services Selection Board, Punjab-respondent No.2, for correction of the wrong committed and to declare the petitioners selected on merit. The said representation has not been decided and directions are sought to the respondent No.2 to decide the representation in a time bound manner. The request is accepted and direction is issued to the respondent No.2 to consider and decide the representation within three weeks from the date of supply of certified copy of the order.

If the petitioners make a request for personal hearing, the same shall be granted. In case order adverse to the interest of the petitioners is contemplated, it will be supported by reasons.

With the above observations and directions, the petition is disposed of.

16.02.2016

Dinesh

**(RAJIV NARAIN RAINA)
JUDGE**