

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.1420 of 2015 (O&M)
Date of Decision: August 29, 2016

Raj RaniAppellant
versus
State of Haryana and othersRespondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr.U.K.Agnihotri, Advocate, for the appellant.
Mr.R.D.Sharma, Deputy Advocate General, Haryana.

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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?

Surya Kant, J.

Notice of motion.

On our asking, Mr.R.D.Sharma, learned Deputy Advocate General, Haryana, accepts notice on behalf of the respondents.

Though no written statement was filed before the learned Single Judge but having regard to the nature of order which we propose to pass, it is not necessary to seek any reply from the respondents at this stage.

The appellant applied for the post of Post Graduate Teacher (PGT) (Mathematics) in response to the advertisement dated 07.06.2012 issued by the Haryana School Teachers Selection Board (since disbanded). There were 2057 posts out of which 1278 posts were meant for General Category. The appellant belongs to General Category. She claims that the Recruiting Agency found some deficiencies in her application form which were duly rectified and the requisite documents were submitted on 28.01.2013, i.e., much before the result was declared on 03.04.2013. No

Reason was assigned to her as to why she could not be selected though 437

posts of PGT (Mathematics) in General Category have remained vacant on account of non-availability of eligible candidates.

The aggrieved appellant approached this Court but the learned Single Judge dismissed her writ petition primarily on the ground that Selection Board itself has been disbanded.

We have heard learned counsel for the parties and are of the considered view that since the Board is said to have been dissolved after concluding the selection process, the appellant is entitled to know the fate of her candidature. Since she has come up with a categoric stand that shortcomings in her application form were removed and 437 posts in General Category could not be filled up for want of eligible candidates, it is imperative upon the authorities to inform the appellant by way of a reasoned order as to why she was not finally selected. Consequently, we allow this appeal in part; modify the order passed by learned Single Judge and dispose of the appellant's writ petition without expressing any views on merits, with a direction to the successor Selecting Agency, namely, the Haryana Staff Selection Commission, to verify the records and dispose of the appellant's claim by way of a speaking order, within a period of three months from the date of receiving a certified copy of this order.

Needless to say that if the appellant is found in merit and was denied appointment for wholly insufficient reasons, in that case, she will be offered appointment on notional basis.

[SURYA KANT]

JUDGE

August 29, 2016

mohinder

[SUDIP AHLUWALIA]

JUDGE

CM No.3937 of 2015 in
LPA No.1420 of 2015

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Raj Rani versus State of Haryana and others

Present : Mr.U.K.Agnihotri, Advocate,
for the applicant-appellant.
Mr.R.D.Sharma, DAG, Haryana.

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After hearing learned counsel for the parties and for the reasons
mentioned in the application, the same is allowed and 221 days' delay in
filing the appeal is condoned.

CM stands disposed of.

(SURYA KANT)
JUDGE

August 29, 2016
mohinder

(SUDIP AHLUWALIA)
JUDGE