

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

**CWP No. 19689 of 2014 (O&M)
Date of Decision: 25.05.2017**

Harjit Kaur

...Petitioner

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Vanita Sapra Kataria, Advocate
for the applicant-petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab.

JAISHREE THAKUR, J. (Oral)

CM-2249-CWP-2017

Allowed as prayed for.

Replication is taken on record.

CWP-19689-2014

The instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to issue letter of appointment to the petitioner on account of her selection as Staff Nurse in the selection process, held for recruitment of Staff Nurses, in an advertisement issued in 2011.

Notice of motion was issued in the writ petition and replies have been filed thereto. As per the written statement filed and stand taken by the respondents, the petitioner could not be considered for appointment on account of not having the requisite experience. In fact, 10 marks were to be awarded to a candidate who had gained experience for working in a

Government Hospital-NHRM. It is submitted that the petitioner herein was not given any marks for the experience on account of the fact that she had gained such experience while working in a private institution.

Faced with this, counsel for the petitioner does not press the instant writ petition and submits that the respondents had taken the original Lineal Dependent Certificate (LDC) of the petitioner at the time of counselling and the same should be returned to the petitioner.

In view of the fact that the petitioner does not have the experience as required under the advertisement, no orders are called for in the matter. However, the original LDC, which has been retained by the Department, should be returned to the petitioner as expeditiously as possible in order to enable her to avail of any other appointment if so advertised in future. Since the original record is available in Court today along with the original LDC, the same be returned to the petitioner forthwith.

Original Lineal Dependent Certificate (LDC) of the petitioner has been received by the counsel for the petitioner in Court today and a copy of the same has been placed on the case file as well as on official file.

Writ petition stands disposed of.

May 25, 2017

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No