

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

CWP No. 16083 of 2017
Date of decision: 25.07.2017

Suman Lata

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Jasbir Mor, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks consideration on the ground that she is eligible for the post of PGT Home Science and for selection and appointment against the said post against Advertisement No. 4 dated 28.06.2015 (Annexure P-2).

It is the case of the petitioner that her case was considered as a general candidate and as per the essential qualifications mentioned in the advertisement, M.Sc. Home Science with at least 50% marks and B.Ed. from the recognized university were the requisite qualifications. She had cleared the written examination held on 15.03.2016 and her roll no. 40900168 was amongst the list of successful candidates. She had been called for interview as per the result dated 30.12.2016 (Annexure P-5). However, a dispute had arisen regarding the essential qualifications since she had done her Masters degree from Indira Gandhi National Open University (in short 'IGNOU') and got a degree in the Masters of Science in Dietetics and Food Services Management and resultantly, her case was not considered on the ground that it was not an equivalent degree as per the essential qualifications. Counsel accordingly makes reference to the certificate issued by the IGNOU dated 08.03.2017 (Annexure P-7) to submit

that the said degree is to be considered at par with M.Sc. Home Science and representation has been made on 09.03.2017 (Annexure P-8) and thereafter even a legal notice dated 30.03.2017 (Annexure P-11) was also served upon the respondents. Reference is made to list dated 03.03.2017 (Annexure P-6) to show that there are 7 posts lying vacant in the general category and the petitioner was liable to be considered and the respondents are not taking any action.

Counsel further submits that the petitioner would be satisfied if a direction is issued to the respondents to decide the said legal notice within a fixed time frame.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice. Copy of the writ petition has been supplied to her.

Without commenting on the merits of the case or the entitlement of the petitioner for the abovesaid relief and keeping in view the fact that the matter is still pending consideration and no formal order of rejection as such has been passed as argued by the counsel, the present writ petition is disposed of with direction to respondent no. 3 to take a decision on the said legal notice dated 30.03.2017 (Annexure P-11) within a period of 4 weeks from the date of receipt of certified copy of the order. Needless to say if the benefit is to be declined, a reasoned order be passed and the same be conveyed to the petitioner.

25.07.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No