

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CWP-25044-2016

Date of decision : 11.09.2017

Shakuntla Devi

... Petitioner

Versus

The State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.R.K.Singh, Advocate
for the petitioner.

Mr.Hitesh Pandit, Addl.A.G. Haryana.

AMOL RATTAN SINGH, J.(ORAL)

Pursuant to the order dated 11.08.2017, the OMR answer sheet of the petitioner has been produced in a sealed cover by the learned counsel for the Commission, in which there is no smudging etc. visible.

Mr.Pandit, learned Addl.A.G., submits that as a matter of fact the petitioner's candidature has not been rejected on account of any smudging etc. in the OMR sheet, but on account of the fact that, firstly, the petitioner did not possess 4 years teaching experience as on 11.04.2012, to be covered by the exception given in the advertisement, in Note 2 thereof, whereby those who had such experience of 4 years were exempted, as a one time measure, from clearing the HTET/STET as a basic eligibility condition.

Secondly, though the petitioner had thereafter cleared the HTET, she had cleared it only after the date of the interview, and therefore

condition of having passed the HTET/STET, her candidature was rejected.

Mr.Pandit further points to a note given in the advertisement, to the effect that the candidates who had passed the HTET/STET even till the date of interview, would be interviewed on the basis of such examination.

Learned counsel for the petitioner submits that as the petitioner had been called for an interview despite the note hereinabove, to the effect that candidates who have passed the HTET till the date of interview would be called for the interview, she has now a right to be appointed if she makes it on merit.

The contention is to be rejected outright, in view of the very clear note given in the advertisement itself, in bold letters.

Learned counsel for the petitioner, on specific query, also does not deny that the petitioner had not gained 4 years experience upto 11.04.2012. Hence, the prayer in the petition is wholly misconceived.

Consequently, this petition is dismissed.

No order as to costs.

The OMR sheet has been returned to learned counsel for the Commission.

(AMOL RATTAN SINGH)
JUDGE

September 11, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No