

CWP No. 21871 of 2017

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

**CWP No. 21871 of 2017
Date of Decision: 13.12.2017**

Kiran Bala

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Suresh Kumar Kaushik, Advocate,
for the petitioner.

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

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel for the State has reiterated what has already been noticed in the order dated 30.11.2017, to the effect that the petitioners' candidature for the post of a Pharmacist has been rejected on the ground that she is not registered as a Pharmacist with the Haryana State Pharmacy Council.

However, learned counsel for the petitioner has produced in Court today, a photocopy of a receipt issued on 01.02.2012 and another photocopy of a receipt issued on 31.01.2017 (issued by the Haryana State Pharmacy Council, Panchkula), showing renewal of her registration, first up-to 31.12.2016 and then up-to 31.12.2021.

The aforesaid photocopies of the receipts are taken on record as Mark-A (colly.).

This is other than the fact that learned counsel for the the petitioner on the last date of hearing had also contended that the petitioner is working in a

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Government Hospital as a Pharmacist since 2009, in support of which he points to an experience certificate, Annexure P-5, issued by the Deputy Civil Surgeon (NHM), Panipat, dated 12.05.2017.

That being so, this petition is allowed to the extent that the petitioner shall not be disqualified from the selection process in question on the ground of her not having been registered with the Haryana State Pharmacy Council, subject only to verification of her antecedents of having worked with a Government hospital since 2009 as a Pharmacist, because even if in such circumstances, her registration had not been formally renewed, she would be deemed to have continued to be a Pharmacist, no such objection having been raised during her employment in the Government Hospital.

In any case, now with the receipts shown, of fee deposited for renewal of registration up-till the aforesaid dates, there does not seem to be any doubt there.

The petitioner being in the zone of selection after the written examination conducted, she be interviewed for the post in question on a particular date, which would be duly conveyed to her, and the result of the selection process be declared, thereafter.

It may also be added that if marks are to be given for experience, as per the criteria framed by the selection body, then she would be accordingly assigned such marks, in terms of her experience certificate submitted to such selection body.

December 13, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

Yes