

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 22964 of 2017
Date of decision: 26.10.2017

Anjali Sharma

....Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

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

Present: Mr. PBS Phoolka, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks consideration and appointment on the post of PGT (Home Science) in general category with all consequential benefits from the date when other candidates have been appointed in pursuance to the advertisement no. 4 of dated 28.06.2015 (Annexure P-1). The relief is claimed on the basis that the result of the petitioner has been revised for the HTET Level 3 examination and the petitioner has qualified.

The case of the petitioner is that she had applied for the above said post and the necessary condition of having qualified in the HTET examination on the date of interview was provided in the column of eligibility. She had cleared the written examination for PGT (Home Science) category 9 but on account of not having qualified in the HTET Level 3 examination having obtained only 88 marks, she was not considered for appointment. On account of challenge having been raised to the answer key of the HTET examination and in view of the judgment in ***CWP No.***

15979 of 2016, Sarita Yadav vs. Board of School Education, Haryana

decided on 14.07.2017, the credit of 5 questions was given and resultantly,

she has qualified and she was issued a pass certificate on 02.08.2017 (Annexure P-9). It is the case of the petitioner that 193 posts were advertised, out of which, 90 posts are available for general category and only 74 candidates have been appointed as per order dated 31.08.2017 (Annexure P-10), therefore, there are vacancies which are liable to be filled up on account of the petitioner having got the requisite qualification.

Counsel further submits that a representation dated 01.09.2017 (Annexure P-11) has accordingly been filed with the respondent-Commission for the necessary relief but no action has been taken.

Notice of motion.

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

Keeping in view the above, this Court is of the opinion that no useful purpose would be served to ask the respondents to file reply in view of the above facts since the decision making is still to be completed.

Accordingly, 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, the present writ petition is disposed of with direction to respondent-Commission to take a decision on the representation dated 01.09.2017 (Annexure P-11) and declare the result of the petitioner. In case the petitioner is found successful and falls within the zone of consideration for appointment, necessary steps will be taken to send a recommendation to the State Government for appointment. The said exercise shall be done within a period of 4 weeks from the date of receipt of certified copy of the order. In case the petitioner does not fall within the zone of consideration, the Commission will inform

the petitioner.

26.10.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No