

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

Civil Writ Petition No.5578 of 2014

Date of Decision:-28.02.2017

Meena Kumari

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present:- Mr.S.N. Yadav, Advocate for the petitioner.

Mr.Harish Rathee, Sr. DAG, Haryana.

P.B. BAJANTHRI J.(Oral)

In the instant writ petition, petitioner has questioned the impugned order dated 19.02.2014 (Annexure P-5), by which the respondents have rejected the petitioner's claim for considering her name to the B-1 course. Claim of the petitioner has been rejected on the score that the merit gained by 5th respondent (Lady Constable Rajkala) in the basic recruitment course 115/425, whereas name of the petitioner-Meena Kumari is at Serial No. 133/425. Such criteria has been taken into consideration for the purpose of sending 5th respondent (Lady Constable Rajkala) to B-1 Course and petitioner's claim has been rejected.

Basic recruitment course ranking or merit list is not one of the criteria for sending the constable to B-1 course. In other words, extraneous material has been taken into consideration by Superintendent of Police, Bhiwani, in order to favour 5th respondent while rejecting the petitioner's claim.

Hence, the order dated 19.02,2014 (Annexure P-5) is set aside and Superintendent of Police, Bhiwani, is directed to re-consider the claim of the petitioner for sending her to B-1 Course with reference to the marks

secured by the petitioner i.e. 33 marks and 5th respondent (Lady Constable Rajkala)-31 marks. Take a decision with referene to the criteria laid down for the purpose of sending constable to B-1 Course. Such a decision shall be taken within a period of one month and the same shall be communicated if the petitioner is eligible. In such event, petitioner be sent for B-1 course at par with 5th respondent (Lady Constable Rajkala) and extend all service benefits on par with 5th respondent. Decision taken in the matter be informed to the Registry of this Court within two months from today.

In view of the above, present petition stands allowed.

28.02.2017
Anjal

(*P.B. BAJANTHRI*)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No