

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

**Civil Writ Petition No.27371 of 2017
Decided on : 01.12.2017**

Anju Yadav

... Petitioner

Versus

State of Haryana and another

... Respondents

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

Present : Mr. Surinder Gaur, Advocate
for the petitioner.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks consideration and appointment on the post of PGT (Home Science) in BC-B 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 not having obtained 90 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-7). It is the case of the petitioner that 193 posts were advertised, out of which, 9 posts were available for BC-B Category and no candidates were available as per result dated 03.03.2017 (Annexure P-5), 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 23.10.2017 (Annexure P-8) has accordingly been filed with the respondent-Commission for the necessary relief but no action has been taken.

Notice of motion.

Mr. Harish Rathee, Senior DAG, Haryana accepts notice. Copy of the writ petition has been supplied to him.

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 23.10.2017 (Annexure P-8) and interview the petitioner 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.

DECEMBER 01, 2017
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No