

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

CWP No. 5712 of 2017 (O & M)

Date of decision: 16.08.2017

Shikha Verma and others

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Surinder Dagar , Advocate,
for the applicant-petitioners.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 10756-CWP of 2017

The present application has been filed for impleading the applicants as respondent nos. 4 to 135 in the present writ petition.

In view of the averments made in the application duly supported by affidavit, the same is allowed.

Applicants are impleaded as respondents no. 4 to 135 in the main writ petition. Amended Memo of Parties is taken on record.

CWP No. 5712 of 2017

The petitioners seek quashing of the selection list of Staff Nurse in respondent no. 3-Kalpna Chawla Government Medical College, Karnal dated 08.03.2017 (Annexure P-5) and the list of short listed candidates who were called for interview. Prayer has also been made to prepare a fresh list of candidates to appear in the interview for the post of Staff Nurse (General Category) in view of the notice dated 06.03.2017 (Annexure P-4) and call the petitioners for interview as per merit.

Counsel for the petitioners has argued that on the basis of the notice dated 06.03.2017 (Annexure P-4) that there was some wrong and false information listed by the candidates who figured in the pre-merit list before interview, therefore, the result dated 08.03.2017 (Annexure P-5) which had been declared of the staff nurse was vitiated and the petitioners were also entitled to be called for interview.

It is not disputed that vide advertisement no. 10/2016 (Annexure P-1 colly), online applications were invited for various posts including the post of staff nurse, for which there were 70 posts. Against the general category there were 33 vacancies including 2 for the physically handicapped category. The petitioners are applicants against the said 31 posts. On the basis of the essential qualifications, a short list was prepared and the 132 candidates of general category were asked to report on 06.03.2017 and 07.03.2017 to respondent no. 2, which were four times the number of candidates against the general category. The cut off was 61.36 points. the petitioners do not figure in the said cut off having got 61.33, 61.29 and 60.49 points. It is apparent that on the basis of the said pre-merit list, selection was made and the result was declared vide Annexure P-5 and 33 persons have been duly appointed, which have now been impleaded. The argument of the counsel that there was wrong and false information qua this category and, therefore, the pre-merit list was subject to change and the result declared on 08.03.2017 was liable to be quashed is without any basis.

A perusal of Annexure P-4 would go on to show that the interview for the posts of clerk and store keeper was postponed which was scheduled to be held on 08.03.2017 and 09.03.2017 on that account. It was specified in the notice that interview for the post of Staff Nurse on

08.03.2017 will be held as per schedule. It is in pursuance of the said interview, the selection list as such has been finalized. The argument of the counsel that there was a mistake in pre-merit list is without any basis. The list was for the two other posts, which is not subject matter of consideration. The petitioners did not make the cut and, thus, cannot seek any right of consideration for interview. They had only a right of consideration and no absolute right to be called on the basis of the criteria fixed. Four times the number of candidates were called by the respondents and the petitioners did not figure in that number.

Resultantly, no fault can be found which would call for interference and the present writ petition is accordingly dismissed in limine.

16.08.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No