

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.13163 of 2017

Date of Decision: 19.09.2018

Gaurav

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sandeep Verma, Advocate, for the petitioner.

Mr.Kiran Pal Singh, AAG., Haryana.

RITU BAHRI, J. (ORAL)

Petitioner is seeking directions to the respondents to consider the claim of the petitioner with respect to his selection for the post of staff nurse as he was one of the successful candidate in the written test conducted by respondent No.2/Haryana Staff Selection Commission.

The petitioner belongs to “Ahir” caste which is mentioned in State list of BC category as per certificate (Annexure P-3). Petitioner is resident of State of Haryana as per his domicile certificate dated 23.05.2015 (Annexure P-4). These two certificates are not being disputed by the respondent/State. The petitioner has appeared in the written examination after getting the admit card on 23.12.2016 wherein, the examination date for the said written examination was given to be 15.01.2017 at Geeta Niketan. The petitioner has cleared his written examination successfully as per result dated 08.05.2017 (Annexure P-9) and was called for scrutiny of his documents. However, respondent No.2 cancelled the candidature of the

petitioner on the ground that his relationship certificate which he has furnished cannot be treated as Ex.Servicemen Dependent Certificate which should be issued from Zila Sainik Board but the same has been issued from Defence Security Core (DSC). The petitioner has made a prayer even if, he is not being considered in Ex.Servicemen category, he may be considered in BCB category and made representation in this regard (Annexure P-10). As per order passed by this Court on 02.06.2017, the petitioner was allowed for interview under BCB category.

Today, the result of the petitioner has been produced before this Court which shows that petitioner has secured 76 marks in written examination and 20 marks in viva voce test and as such, total 96 marks he has obtained. As per result declared (Annexure P-12) attached with CM No.3959-CWP of 2018, the last candidate in BCB category has got 86 marks and the petitioner has got 96 marks which is higher than the last candidate.

In view of the above, present writ petition is allowed and respondents are directed to appoint the petitioner for the post of Staff Nurse within a period of four weeks from the date of receipt of the copy of this order.

(RITU BAHRI)
JUDGE

19.09.2018
anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No