

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 1774 of 2017
Date of decision: August 10, 2018

Preeti Sangwan

... Petitioner

versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE RITU BAHRI

Present: Mr. Nitin Jain, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG., Haryana.

RITU BAHRI, J.(Oral)
CM No.11067 of 2018

This is an application filed under Order 1 Rules 10 CPC for impleading the applicants as respondent Nos. 3 to 7.

The application is allowed subject to all just exceptions.

The applicants as mentioned in para 7 of the writ petition are ordered to be impleaded as respondent Nos. 3 to 7.

CWP No. 1774 of 2017

The writ petition is taken on board for disposal today itself.

The precise case of the petitioner is that they are seeking direction against the respondents to consider them eligible for the post of PGT(Biology). The Haryana Staff Selection Commission advertised various posts including 101 posts of PGT (Biology) (Annexure P-1). The petitioner had appeared in B.Ed examination vide Roll No. 9506016 in June, 2015 and had applied to the M.D. University to convey her B.Ed result confidentially to the Haryana Staff Selection Commission and M. D.

University had given confidential result of B.Ed of the petitioner addressed to the Secretary, Haryana Staff Selection Commission (Annexure P-2). The petitioner appeared in the screening test held by the Haryana Staff Selection Commission on 6.12.2015 and after qualifying the test she was called for scrutiny of documents to be followed by interview on 28.1.2017. The scrutiny was done on 28.1.2017 and petitioner appeared before the committee-D and the said committee found the petitioner ineligible on the ground of non-acceptance of confidential result dated 6.10.2015 which was well before the last date of applying i.e. 12.10.2015. This aspect of the matter has been considered in the writ petition bearing **CWP No. 27021 of 2016 Priyanka and others Vs. State of Haryana and others.**

While disposing of the aforementioned writ petition, reference was made to **CWP No. 9533 of 2001 Ankita Beniwal Vs. Haryana Public Service Commission** wherein it has been held that the petitioner had been communicated her result in confidence by the University and it was held that the result having been so communicated, the petitioner was to be treated as having qualified the examination which made her eligible for the post in question.

Following the Division Bench judgment in CWP No. 9533 of 2001, CWP No. 27021 of 2016 was disposed of by giving a direction to the respondent Commission to interview the petitioners if they otherwise come within the zone of selection as per the marks obtained by the last candidate, in each category in which the petitioners have applied, provided that the result in the case of each petitioner was disclosed by the respondent-University prior to the cut off date.

Since there is no dispute that the result of the petitioner dated

6.10.2015 was given to the Commission well before the cut off date i.e. 12.10.2015, the petition is squarely covered by the aforesaid CWP No. 27021 of 2016.

In view of the observations made above, the writ petition is allowed in terms of the judgment passed in **CWP No. 27021 of 2016 Priyanka and others' case (supra)**.

(RITU BAHRI)
JUDGE

August 10, 2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No