

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

CWP No. 19614-2017

Date of decision : 11.09.2018

Ankita Sheoran

...Petitioner

versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rajeev Kawatra, Advocate
for the petitioner.

Mr. Hitesh Pandit, Addl. A.G. Haryana

RITU BAHRI, J. (Oral)

The present petition is for issuance of direction to the respondents to consider and allow her to appear for interview for the post of PGT Computer Science in the General category.

Pursuant to advertisement dated 05.07.2015, the petitioner applied for the post of PGT (Computer Science) in the category of ESM (Dependent) General category. The petitioner appeared in the written examination and was declared successful in the result declared on 16.04.2017. The scrutiny of documents were held on 22.06.2017 in which the petitioner appeared and she shown her certificate of dependence of Military/Defence Personnel, which was rejected being not issued by the competent authority.

It is the case of the petitioner that she applied wrongly as a Dependent of Ex-Serviceman, on account of the fact that his father is a serving Army Officer (Annexure P-4). It is her case that she has, now, qualified the written test and has been called for scrutiny of documents and

has not even been considered under the General Category, inspite of having moved a representation dated 04.07.2017 (Annexure P-5). It is submitted that no prejudice will be caused as she is not seeking benefit of any reservation or relaxation and therefore, the door cannot be shut totally, for consideration.

Learned State counsel is opposing the prayer made by the petitioner on the ground that once the petitioner has taken the benefit of certificate (P-4) now she cannot again change her category from Dependent of Ex-Serviceman to General Category.

This argument is liable to be rejected as the certificate (P-4) clearly shows that the petitioner is dependent upon her father. This certificate does not say that she is dependent upon ex servicemen, thus, the petitioner has applied wrongly under ESM/DSEM category.

Heard learned counsel for the parties.

The petitioner has inadvertently applied for the post of PGT (Computer Science) under ESM/DSEM category and thus now her candidature can be considered under General category. She has even given a representation dated 04.07.2017 to the Chairman of the Commission for change of category.

In view of the above factual position, the writ petition stands allowed and respondents are directed to consider the candidature of petitioner under General category for the post of PGT (computer Science) and she be called for interview, pursuant to advertisement dated 05.07.2015.

11.09.2018

G Arora

(RITU BAHRI)

JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No