

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

**CWP No.26410 2016
Date of decision: 11.09.2018**

Kiran Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jainainder Saini, Advocate,
for the petitioner.

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

Ritu Bahri, J.

Petitioner has participated in the selection process for the post of Female Constable (General Duty) under SC category, pursuant to advertisement No.8/2015 dated 09.07.2015 (Annexure P-1).

After qualifying the written examination and scrutiny of documents, final result was declared on 29.10.2016 (Annexure P-6). Name of the petitioner was mentioned in the list of last four selected candidates under SC Category. In this petition, petitioner is seeking quashing of the corrigendum dated 01.12.2016 (Annexure P-10), whereby the Haryana Staff Selection Commission has deleted the name of the petitioner from the list of selected candidates and declared the candidate with Roll No.1002043558, under SC Category, as a selected candidate.

Upon notice, short reply has been filed on behalf of respondent No.2-Haryana Staff Selection Commission, wherein details of the last four selected candidates, including petitioner, in SC category, has been given,

which is reproduced as under:-

Sr. No.	Roll No.	Name	Knowledge Test (KT) Marks	Grand Total	D.O.B.
797	1002004431	Pooja Rani	20.25	45.25	18/02/1990
798	1002057963	Preeti Chalia	17.25	45.25	10/04/91
799	1002059848	Kiran Devi Petitioner/eliminated candidate	17.25	45.25	26/03/1993
800	1002006221	Meenakshi	20.25	45.25	10/01/97

It has been further stated that Kiran Devi-petitioner was younger to Preeti Chalia. Hence, her name was kept below the name of Preeti Chalia, even though they both had secured the same marks i.e. 45.25. Some of the candidates, who could not appear in Physical Measurement Test, had approached this Court by filing CWP No.21480 of 2016 (Ashish Kumar & others vs. State of Haryana & others), wherein a direction was given to consider the petitioners (in that case) for the post of Constable (General Duty) for conducting Physical Measurement Test. Thereafter, a public notice dated 20.10.2016 (Annexure R-2/2) was issued for giving last chance to all the absentee candidates to participate in Physical Measurement Test, which was to be held from 27.09.2016 to 02.10.2016. After issuance of the said notice, many candidates, including two candidates namely Dimpi daughter of Robin (Roll No.1002022167 in BC-A category) and Roma Rani daughter of Raj Kumar (Roll No.1002043558 in Sc category) appeared and their Physical Measurement Test (PMT) was conducted on 24.10.2016. The result was declared on 25.10.2016 and thereafter, they were called for the interview. However, result of these two candidates namely Roma Rani and Dimpi was inadvertently left out and could not be compiled with the main result, which was declared on 29.10.2016 (Annexure P-6). In this backdrop, the result of all the candidates, who participated in the recruitment process,

was declared on 19.11.2016. As per this result, Roma Rani got 46.80 marks out of 100 marks and she made a representation dated 23.11.2016 (Annexure R-2/3), whereupon a corrigendum dated 01.12.2016 (Annexure P-10) was issued to correct the error, which crept in the final result dated 29.10.2016 (Annexure P-6). In order to accommodate Roma Rani, who got 46.80 marks, candidate with lowest marks, was required to be eliminated. Since the petitioner had secured 17.25 marks in the Knowledge Test, her name was withdrawn and the aforesaid mistake was corrected as per Rule 12.16 of Punjab Police Rules (Annexure R-2/1). Roma Rani has replaced the petitioner as she secured more marks and in this backdrop, corrigendum dated 01.12.2016 (Annexure P-10) was issued.

Even, at the time of declaring the result dated 29.10.2016 (Annexure P-6), it was stated in note-5 that **while every care has been taken in preparing the result, possibility of inadvertent errors cannot be ruled out. The Commission reserves the right to rectify the same later on.**

In this case, pursuant to the order passed by this Court in CWP No.21480 of 2016 (**Ashish Kumar & others vs. State of Haryana & others**), Roma Rani participated had in the Physical Measurement Test as well as interview and got 46.80 marks i.e. more than the marks obtained by present petitioner. Therefore, Roma Rani has a right to be placed in the list of selected candidates over and above the petitioner, who has got 45.25 marks. In view of the said fact, mistake in the result dated 29.10.2016 (Annexure P-6) was rectified by issuing a corrigendum dated 01.12.2016 (Annexure P-10). Therefore, no ground is made out to quash the impugned corrigendum dated 01.12.2016 (Annexure P-10).

Resultantly, finding no merits, the present petition is dismissed.

11.09.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No