

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

CWP-7145-2013

Date of decision-06.08.2018

Sushma Rani

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. D.S. Patwalia, Sr. Advocate,
with Mr. Harmanpreet Sehgal, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed inter alia, for issuance of a writ, in the nature of Certiorari, quashing the seniority list circulated vide letter dated 06.03.2013 (Annexure P-10).

Learned Senior counsel states that as per Rule 6 of the Punjab State Assistant Grade Examination Rules, 1984, the respondents are required to conduct test every six months. However, the test has not been conducted since 2012 which has resulted into loss of consideration of the petitioner for the post of Personal Assistant. This has virtually rendered the petitioner ineligible for consideration as and when a vacancy arises, a plea is put forth that the petitioner is not eligible as she has not qualified the test, whereas,

the test itself is not being conducted. He states that at this stage, he would be satisfied, if a direction is issued to the respondents to conduct the test in question within a specified time.

Heard.

Considering the prayer made and in view of the assurance given in additional affidavit of the Secretary, PWD (B&R), Punjab, dated 31.08.2017, the respondents are directed to conduct the test in question within a period of six months from today and consider the eligible candidates on the basis of the test so conducted. Meanwhile, no promotion shall be done for the post in question i.e. Personal Assistant, without holding the test in question.

Disposed of.

(JITENDRA CHAUHAN)
JUDGE

06.08.2018
atulsethi

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No