

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

**CWP No.26907 of 2017 (O&M)
Date of decision: 12.07.2018**

Shweta Chauhan

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. R.K. Malik, Senior Advocate,
with Mr. Bhupinder Malik, Advocate,
for the petitioner.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

Mr. H.N. Mehtani, Advocate,
with Mr. Kanwal Goyal, Advocate,
for respondent No.2.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

Ritu Bahri, J.

Prayer in this petition is for quashing the action of respondent No.2-HPSC, whereby candidature of the petitioner in Scheduled Caste category has been cancelled.

Vide advertisement dated 24.01.2014, applications for recruitment of 1360 posts of Assistant Professors (College Cadre) in various subjects in the Department of Higher Education, were invited by the respondent No.2-Commission. In the subject of English, total 104 posts were advertised. Thereafter, vide advertisement No.10, 1647 posts of Assistant Professor (College Cadre) in various subjects were advertised. In the subject of English, posts were reduced from 104 to 78. As per petitioner, she belongs

Assistant Professor (College Cadre) in the subject of English. After conducting written examination, result was declared on 23.10.2017 (Annexure P-1). As per result, 122 candidates were found available and roll number of the petitioner (i.e. Roll No.1379) had figured in the list of candidates who had qualified for the interview. They were directed to send hard copies of their online application forms along with self attested copies of their certificates/supporting documents to the Commission's office within 15 days i.e. up to 08.11.2017. Accordingly, the petitioner submitted her certificates/documents vide letter dated 01.11.2017 (Annexure P-2). The petitioner has placed on record copy of Scheduled Caste certificate dated 10.01.1992 (Annexure P-6) from her parental side, Scheduled Caste Certificate dated 26.02.2014 (Annexure P-7) from her husband's side and domicile certificate dated (Annexure P-8). But, the Commission (respondent No.2) did not consider the case for the post of Assistant Professor (English) under the Scheduled Caste category. As per schedule dated 21.11.2017 (Annexure P-9), interviews for the aforesaid posts were to be conducted w.e.f. 29.11.2017 to 30.11.2017. However, name of the petitioner was not included in the list of candidates called for the interview.

The issue involved in the present case is squarely covered by the judgment of even date passed by this Court in **Shweta Kashyap vs. Haryana Public Service Commission and another**, CWP No.28079 of 2017, whereby petition of similarly situated petitioner has been allowed.

In view of the judgment passed in **Shweta Kashyap's** case (supra), impugned action of the respondents rejecting the candidature of the petitioner for the post of Assistant Professor (English) under SC category, is set aside and the respondents are directed to consider the case of the

petitioner for the post of Assistant Professor (College Cadre) in the subject of English in Scheduled Caste category and grant her the benefit of reservation in accordance with law.

Allowed accordingly.

12.07.2018
ajp

(RITU BAHRI)
JUDGE

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