

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.4846 of 2018

Date of Decision: 28.02.2018

Deepika

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Anurag Goyal, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. The petitioner applied under the General category for the post of Assistant Professor (College Cadre) in the subject of Political Science against advertisement No.10 of 2016. She qualified the screening test with Roll No.1350.

2. Respondents No.3 & 4 applied for the same post in the category EBP (General) of Haryana under Roll Nos.2377 and 1702 respectively. The category of EBP (General) of Haryana is subject matter of litigation pending in CWP No.18514 of 2016, *Kalindi Vashishtha v. State of Haryana and others*, pending for July 03, 2018, referred to Full Bench (as mentioned in Annex P-6) and there is a stay on appointments operating. Ordinarily, the petitioner would have no locus standi to challenge candidates against another category, but Mr. Goyal submits that Roll Nos. 2377 and 1702 have been considered in the General category and could not be called for interview since they qualified the screening test in EBP (General) and for

that reason, there would be no occasion to call them for interview other than their own category. By the very nature of the selection process at the present stage confidentiality has to be maintained in written examination merit so as not to cause prejudice to the interview stage, the *inter se* merit between petitioner and respondents No.3 & 4 is strictly confidential and obviously be not known and, therefore, no opinion is expressed. The case set up in the petition is premature.

3. In this background it will hardly serve any useful or practical purpose to issue notice to the Commission or State and then to keep this matter pending without effective orders. Hence, it appears fair and proper that this petition should be disposed of to await the decision in *Kalindi Vashishtha* case and the determination of the rights of respondents No.3 & 4 and similarly placed persons with the liberty to the petitioner to approach the Court, in case cause of action of action arises, and as advised. This Court in the present petition can express no opinion as the constitutional challenge to reservation for Economically Backward Persons (General) of Haryana is sub judice before the Full Bench.

4. Petition stands disposed of as above.

(RAJIV NARAIN RAINA)
JUDGE

28.02.2018

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Whether speaking/reasoned

Yes

Whether reportable

No