

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

**CWP No. 5682 of 2018
Date of decision: 12.3.2018**

Rachna

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. S.K. Malik, Advocate
for the petitioner.

ARUN PALLI, J. (Oral)

Notice of motion, confined to respondents No.1 to 3 only, at this stage.

Mr. Hitesh Pandit, Additional A.G., Haryana, present in court, accepts notice on their behalf. Copies supplied.

In the nature of order I propose to pass, no formal written statement(s)/counter-affidavit(s) on behalf of the respondents are indeed necessary at this stage. Thus, with the consent of the learned counsel for the parties, the petition is being disposed of finally.

The petitioner competed for selection to the post of Staff Nurse, pursuant to an advertisement No.1/2015 dated 19.6.2015 (Annexure P-1), in the General Category. She participated in the written examination as also in the interview. However, as per the final results, declared on 31.1.2018 (Annexure P-8), she failed to qualify for selection. Concededly, the process

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of selection has been concluded, and even the appointments have since been made. The precise grievance that the petitioner has is; that all the selected candidates have since been awarded marks, besides their score in the written examination and interview, for experience. Though, neither did the advertisement envisage awarding of any such marks, nor the Rules, i.e. Haryana Health Department, Nursing Personnel and Lady House Keepers (Group C), Service Rules, 1998. In the alternative, it is urged that even if the candidates were required to be awarded certain marks for experience they possessed, the petitioner too ought to have been awarded the requisite number of marks for her experience. For, she has only been awarded 100 marks, i.e. 80 in the written examination and 20 in the interview. Whereas, the last candidate, in her category, namely Mukesh, at Sr. No. 1158, had obtained only 104 marks, including the marks awarded for experience..

In response, learned State counsel submits that claim/grievance of the petitioner shall be considered and dealt with by the respondents within a period of four weeks from today. And appropriate orders, in accordance with law, shall be passed.

The petition is accordingly disposed of, in the above terms. In the event, claim of the petitioner is not made out, she shall be afforded an opportunity of hearing, and the respondent authorities shall pass a comprehensive order, assigning reasons in support thereof.

12.3.2018
Ak Sharma

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO