

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

**LPA No.946 of 2018 (O&M)
Date of Decision :02.07.2018**

Kanchan

.....Appellant

Versus

State of Haryana and another

..... Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Gopal Soni, Advocate for the appellant.

ARUN PALLI, J. (Oral):

This is an *intra court* appeal under clause X of the Letters Patent, vide which, the writ petition preferred by the appellant had since been dismissed by the learned Single Judge.

In a writ petition filed by the appellant she prayed for a direction to the respondents to consider her candidature for selection to the post of Supervisor (Female) in the physically handicapped (PHC) category. And she be provisionally interviewed on 22.02.2018, the date notified by the respondents in this regard.

Concededly, the appellant/petitioner applied and competed in the general category only and not as a physically handicapped candidate. It was not disputed either that even in the general category she failed to make a cut as the marks obtained by her were lower than the last candidate selected in that category. Which is why, she was not even called for

interview. Before the learned Single Judge it was sought to be urged that while submitting her online application form the petitioner, owing to an accidental error, applied in the general category, whereas she suffered from 70% permanent physically disability, and thus, her candidature be considered in the category of PHC candidates. Even the said plea was rejected by the learned Single Judge, since in terms of the advertisement dated 30.12.2016, three posts were reserved in the **PHC-LV** category. Meaning thereby, only the low vision candidates were eligible to apply in terms of the advertisement. Whereas the appellant/petitioner suffered from a locomotor disability for which no reservation was earmarked in the advertisement. At any rate, the appellant/petitioner having competed in the general category and failed, there was no provision that entitled her to switch to a different category. That being so, the learned single Judge dismissed the petition.

On being pointedly asked, learned counsel for the appellant/petitioner could not refer to anything on record to show if the conclusion recorded by the learned Single Judge was either contrary to the record or suffered from any material illegality. The appeal being devoid of merit is accordingly, dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

02.07.2018

Manoj Bhutani

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