

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

CWP No.25511 of 2018 (O&M)

Date of decision : 30.05.2019

Preety Poswal

...Petitioner

Vs.

Haryana Staff Selection Commission

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rakesh Sobti, Advocate,
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

Ritu Bahri, J. (oral)

Petitioner has participated in the selection process for the post of PGT (Mathematics) under the BC-B category.

Short reply on behalf of respondent-Commission has been filed in Court today. Same is taken on record. It has been admitted by the respondent that two posts meant for BC-B category are lying vacant due to non availability of the candidates. In the final result dated 20.11.2018, out of four candidates called for interview, three have been selected in the General category in their own merit and one candidate of BC-B category was found not eligible at the time of interview.

Petitioner was interviewed pursuant to the order dated 04.10.2018 passed by this Court and as per final result produced in Court on 28.05.2019, petitioner has secured 98 marks in the written examination and 21 in viva voce, total 119 marks. Hence, marks obtained by the petitioner are higher than the last candidate selected in the General category. Last candidate in the General category has secured 116 marks.

As per written statement filed on behalf of respondent-Commission, two candidates in the BC-B category have been selected in the General category as they have secured higher marks. Petitioner, who belongs to BC-B category, has secured higher marks than those two candidates of BC-B category, who have been selected. Since two candidates of BC-B category have been selected in the General category, the petitioner having secured 119 marks has a right to be appointed against two posts of BC-B category, which are still lying vacant after declaration of the final result.

In view of the said fact, respondent-Commission is directed to recommend the case of petitioner for appointment to the post of PGT (Mathematics) under BC-B category (which is lying vacant) with all consequential benefits i.e. notional fixation of pay. This exercise be completed within two weeks from the date of receipt of certified copy of this order and compliance report thereof, be sent to this Court.

Allowed accordingly.

30.05.2019
ajp

(RITU BAHRI)
JUDGE

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