

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

CWP No.25514 of 2018
Date of decision : 23.05.2019

Sonu Kumari
Vs. ...Petitioner

The State of Haryana and others ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jagbir Malik, Advocate,
for the petitioner.

Mr. Harish Nain, AAG, Haryana.

Ms. Bahaar Ghuman, Advocate,
for Mr. Prateek Mahajan, Advocate,
for respondent No.5.

Ritu Bahri, J. (oral)

Petitioner participated for in the selection process for the post of PGT (Geography) under the BC-B category pursuant to advertisement dated 28.06.2015 (Annexure P-9). Final result has been declared on 20.03.2019. Last candidate selected under the BC-B category has secured 112 marks.

Petitioner's result has been produced in Court today, a perusal of which shows that she (petitioner) has secured 94 marks in the written examination and 20 in viva voce, total 114 marks. Marks obtained by the petitioner are higher than the last candidate selected in the BC-B category.

As per short reply filed on behalf of respondent-Commission, candidature of the petitioner for the post of PGT Geography was rejected on the ground of having issued consolidated DMC for M.Sc. Geography after the cut off date by respondent No.5-Kurukshetra University.

Learned counsel for the petitioner refers to the result-cum-

detailed marks card of the petitioner (Annexure P-6 Colly.), whereby she has cleared her Ist Semester of M.Sc. Geography in May, 2011. Examination for the same was held in December, 2010. She cleared her IVth Semester on 13.09.2014. As per certificates (Annexures P-6 Colly.), petitioner had cleared all the examinations before the cut off date. However, DMC has been issued to her on 29.04.2016 (Annexure P-8). On this ground, her candidature has been rejected.

This issue has already been examined by this Court in **Preeti Devi vs. State of Haryana and another**, CWP No.22827 of 2018 (decided on 18.12.2018). The said petition has been allowed keeping in view that before the cut off date, the candidate had cleared all the examinations and only the degree was given after the cut off date.

Ratio of the aforesaid judgment is fully applicable on the facts of the present petition.

Resultantly, this petition is allowed and respondent-HSSC is directed to recommend the case of petitioner for appointment to the post of PGT (Geography) within a period of 15 days and thereafter, Director, Secondary Education, Haryana-respondent No.2 will issue appointment letter to the petitioner within next 15 days. Petitioner will be given consequential benefit of fixation of notional pay at par with those candidates, who have already joined after declaration of the final result.

23.05.2019
ajp

(RITU BAHRI)
JUDGE

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