

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

CWP-4498-2018 (O&M)

Date of Decision:06.02.2019

Anita Sharma

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

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

Mr. Gaurav Jindal, Addl. A.G. Haryana.

RITU BAHRI, J. (Oral)

The petitioner has participated for selection to the post of Supervisor (Female) under EBPG category pursuant to the advertisement dated 30.12.2016 (Annexure P-1).

As per the final result declared on 12.01.2019, the last selected candidate in EBPG category has secured 102 marks. Result of the petitioner has been produced in Court. As per the result of the petitioner, she has secured 102 marks in written examination and 19 marks in viva voce which comes to 121 marks. So, her marks are much higher than the last selected candidate.

The objection for non selection of the petitioner taken in the written statement of the respondents is that as per the documents attached with the application form, she has attached certificate of Anganwadi worker, issued by Women & Child Development Project Officer, Hisar-I, dated 07.02.2017 where she was working since 07.09.2007 which becomes 9 years 5 months and 11 days as on closing date of submission of online application form i.e. 15.02.2017. Second objection is that as per the

condition of the advertisement, the experience of 11 months training of Bal Sevika is required from Integrated Child Development Service Scheme. The experience produced by the petitioner from Shri Krishan Pranamibal Seva Ashram Kamri, Hisar, (Annexure P-2) does not fulfill the condition of essential qualification and cannot be considered.

Perusal of the eligibility qualification at page 25 of the paper-book shows thus ii) 11 months training as Bal Sevika (iii) Eight years experience as Bal Sevika or Anganwadi workers in integrated Child Development Services Scheme or both. There is no reference with respect to any particular institute with regard to 11 months training as Bal Sevika.

The experience certificate placed on record by the petitioner dated 01.07.2017 (Annexure P-2) at page 40 of the paper-book shows that petitioner has served as Bal Sevika since 1.1.2005 to 27.2.2006 of Ashram namely Shri Krishan Parnami Bal Seva Ashram, Kaimari, Hisar, Haryana and this institute falls under the child care and maintaining children. Hence, this certificate fulfills the eligibility conditions of the petitioner.

The certificate of experience dated 7.2.2017 issued by Women & Child (Dev. Project Officer), Hisar-I shows that petitioner has served as Anganwadi Worker in village Mangali Aklan for 9 years 5 months and 11 days. Hence, condition of eight years of experience is also fulfilled. Thus, the petitioner is duly eligible to be appointed as Supervisor (Female) under EBPB category.

Accordingly, the present petition is allowed and the respondent-Commission is directed to recommend the case of the petitioner for appointment of Supervisor (Female) under EBPB category on account of the fact that she has secured 102 marks in written examination and 19

marks in viva voce which comes to 121 marks which are much higher than the last selected candidate who secured 102 marks. The said recommendation shall be made within 15 days and thereafter the commission will sent the recommendation for appointment within 15 days. The appointment to the petitioner shall be made with all consequential benefits including notional appointment and notional pay fixation from the date when other candidates have joined.

Original result is returned back.

06.02.2019
rajeev

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No