

IN THE HIGH COURT OF PUNJAB ANDHARYANAAT
CHANDIGARH

CWP No. 32376-2018

Date of decision:-08.02.2019

PINKI DEVI

.....Petitioners

vs.

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

Mr. Hitesh Pandit, Addl.A.G Haryana

RITU BAHRI, J.(Oral)

The petitioner by way of filing the present writ petition is seeking quashing of impugned selection list dated NIL (P-6), vide which the respondents have selected the candidates with lesser marks in comparison to the present petitioner.

Brief facts of the case are that pursuant to advertisement dated 03.08.2018, petitioner applied for the post of Staff Nurse on contract basis. The grievance of the petitioner before this Court is that the respondents have wriggle out the rights of the present petitioner by selecting the candidates i.e respondent Nos. 4 to 6 who are below/lower in merit, comparison to the present petitioner.

On notice of the petition, a written statement has been filed today on behalf of respondent Nos. 1 to 3 stating therein that respondent No. 3 issued advertisement dated 03.08.2018 for recruitment of 19 posts instead of 21 posts of staff nurse purely on contract basis in various programme under National Health Mission. 373 candidate applied for the

above post and 270 candidates were found eligible. After written examination of 134 candidates, 60 candidates were called for interview being eligible including petitioner on 28.09.2018. The final result was declared on 22.11.2018, which is subject matter of challenge in the present writ petition.

Learned State counsel has produced the original file in the Court today and the last candidate in the BCA category i.e Poonam secured 46.65 marks out of 100 (16.65 marks in Basic, 08 marks in Prof. Test, 04 marks in Computer Test, 10 marks of Local Area weightage and 08 marks in interview). The petitioner has secured 40.16 marks out of 100 (17.16 marks in Basic, 12 marks in Prof. Test, 03 marks in Computer Test, 0 marks of Local Area weightage and 08 marks in interview).

Learned State counsel states that two posts were meant for BCA category and Poonam and Anita were selected against the above posts being higher in merits.

The grievance of the petitioner now is that she has wrongly been not given marks in local area weightage, as the petitioner is permanent resident of Village and Post Office Saleb Puri, Tehsil Dilshadpur, District Yamuna nagar.

Learned State counsel on the other hand submits that being resident of Yamuna Nagar District, the petitioner was not eligible for Local Area Weightage marks as mentioned above, whereas respondent No. 4 to 7 belong to Panchkula District and have been given the local area weightage marks.

Learned counsel for the petitioner has argued that Anita Devi

is not a candidate of BCA category and has wrongly been selected

However, on perusal of record, it shows that Anita Devi filled her form under BCA category.

Learned State counsel submits that petitioner has not made Poonam and Anita as party in the present petition.

Since the final result of selected staff nurses (P-6) has been prepared in accordance with selection criteria issued by National Health Mission, therefore, no ground is made out to quash selection list dated NIL (P-6)

Dismissed.

08.02.2019
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No