IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-24594-2018 (O&M)
Date of decision: 24.01.2019

Mukesh Kumari **...Petitioner**

Versus

State of Haryana and others **...Respondents**

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Hitesh Pandit, Addl. A.G., Haryana.

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Ritu Bahri, J. (Oral).

CM-18445-CWP-2018

Application is allowed and Annexures P-16 to P-17 are taken on record.

CWP-24594-2018

The petitioner has participated for the post of PGT (Political Science) under the general category. As per the final result dated 15.11.2018 (Annexure P-17), the last selected candidate under the general category has secured 129 marks.

Learned counsel for the State has produced the final result of the petitioner in Court today. The petitioner has secured 120 marks in the written examination and 18 marks in the viva voce. Total marks are 138. The marks of the petitioner are higher than the last selected candidate under the general category. Result of the petitioner has been returned to learned counsel for the State.

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Learned counsel for the State submits that the petitioner was not being considered eligible keeping in view that her certificate of STET was not valid.

Learned counsel for the petitioner refers to judgment passed by this Court in ***CWP-2129-2017 Rakesh Kumar and another V/s. State of Haryana and others*** (Annexure P-11) to contend that her STET certificate was valid upto 20.07.2016 and the closing date for making the application was 15.09.2015. The STET certificate has been placed on record by the petitioner at page 54 of the paper-book and this certificate has been issued to the petitioner on 17.08.2009 with roll No. 3111958. In the aforesaid judgment (Annexure P-11), it has been mentioned that the learned Assistant Advocate General has placed on record clarification dated 21.04.2017 'Mark A' whereby it had been decided by the Additional Chief Secretary to Government of Haryana, School Education Department that the offending clauses of the notifications dated 15.07.2011 and 21.07.2011 shall be constructed to be having prospective effect, meaning thereby that the validity of all STET certificates shall be upto 20.07.2016. Since the STET certificate has been issued to the petitioner on 17.08.2009, it was held to be valid upto 20.07.2016 as per the aforesaid judgment (Annexure P-11).

Learned counsel for the State is not disputing that the aforesaid judgment has not attained finality and no LPA has been filed against this judgment.

Writ petition is allowed and the respondents will recommend the appointment of the petitioner keeping in view that the petitioner is fully eligible to be appointed for the post of PGT (Political Science) within a period of 15 days from the date of receipt of certified copy of this order and

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thereafter appointment shall be given by respondent No. 2 within the next 15 days.

(RITU BAHRI)
JUDGE

24.01.2019
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

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