

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

117

Civil Writ Petition No.686 of 2020

Date of Decision: January 21st, 2020

Arti Devi Sanyal

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Balwinder Singh, Advocate
for the petitioner.

Ms. Monica Chhibber Sharma, Sr. Deputy Advocate General,
Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this writ petition is to the speaking order dated 26.11.2019 (Annexure P-22) vide which the selection of the petitioner as Ayurvedic Medical Officer has been set aside on the ground that she does not belong to the Scheduled Castes Category of the State of Punjab and on the ground that the Scheduled Castes certificate, which has been issued to the petitioner, is in the name of her husband and not in the name of her father.

2. Petitioner has approached this Court with a prayer that despite she belonging to the Scheduled Castes Category as declared in the State of Himachal Pradesh, on marriage had to shift to Punjab, where she is married in a Scheduled Caste family. After having moved into Punjab because of her marriage, she applied for the Scheduled Castes Category certificate, which was issued to her on 01.06.2015 (Annex.P17) by the competent authority. Since by now the petitioner had married, the certificate was issued in the name of her husband and not in the name of her father.

Counsel for the petitioner contends that the candidature of the petitioner

could not have been rejected by the respondents firstly on the ground that the Scheduled Castes Category certificate has been issued in the name of her husband and secondly on the ground that she originally belongs to Himachal Pradesh.

3. This contention of the counsel for the petitioner cannot be accepted in the light of the judgment of the Hon'ble Supreme Court in ***Ranjana Kumari Versus State of Uttarakhand and others 2019 (1) S.C.T. 25***, which had relied upon two Constitution Bench judgments of the Hon'ble Supreme Court in ***Marri Chandra Shekhar Rao Versus Dean, Seth G.S. Medical College & Ors., 1990 (3) SCC 130*** and ***Action Committee on Issue of Caste Certificate to Scheduled Castes & Scheduled Tribes in the State of Maharashtra and another Versus Union of India & Anr., 1994 (4) S.C.T. 435***.

4. In view of the above, the writ petition stands dismissed.

January 21st, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No