

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

CWP No.7134 of 1996 (O&M)

Date of decision: 03.03.2020

Asha Devi

.....Petitioner

Versus

The State of Haryana and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the petitioner.

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

Ritu Bahri, J.

Petitioner is seeking direction to the respondents to consider her case for appointment on the post of Jail Warder.

Pursuant to the advertisement dated 22.01.1995 (Annexure P-1), petitioner participated in the selection process for the post of Jail Warder. After qualifying the written examination, she was called for physical test/interview vide letter (Annexure P-4). However, she was not allowed to appear for physical test/interview on the ground that ladies could not be considered for the post of Jail Warders. Hence, this petition.

Upon notice, written statement on behalf of respondent No.2- Selection Board has been filed, wherein it has been stated that the posts of Jail Warders are meant for male candidates only and after the advertisement was issued, a clarification was sought from the Jail Superintendent, Central Jail, Ambala-respondent No.4 vide letter (Annexure R-2/1). However, no clarification was sent by the concerned department. At the time of physical

that female candidates were not eligible for the post of Jail Warder, therefore, the Board-respondent No.2 has rejected the candidature of the petitioner. It is further stated that the job of a Jail Warder is to maintain the security of the Jail within and outside the Jail with the criminals, therefore, this job is not suitable for a female candidate. Only two female candidates namely Asha Devi-petitioner and Manprit Kaur had qualified the written test. Manprit Kaur remained absent for the physical test.

Vide interim order dated 13.02.2003, one post was ordered to be kept vacant. Thereafter, vide order dated 29.01.2004, this order was modified and a direction was given that appointment/promotion to the post of Jail Warder shall be subject to the final outcome of this petition.

During the pendency of this petition, all the appointments have already been made. The petitioner has not filed any replication to show that respondent-department has appointed any female candidate on the post of Jail Warder. Selection process pursuant to advertisement dated 22.01.1995 (Annexure P-1) has already been completed.

In view of the above discussion, no case for issuance of any direction, as prayed for, is made out.

No merits. Dismissed.

(RITU BAHRI)
JUDGE

03.03.2020
ajp

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