

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

**CWP-10165-2020 (O&M)
Date of Decision:04.11.2020**

Neelam

... Petitioner

Versus

State of Haryana & another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Dr. Deepak Jindal, Advocate for the petitioner.

Mr. Sharan Sethi, Additional Advocate General, Haryana.

Mr. Arjun Pratap Atma Ram, Advocate for respondent No.2.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner belongs to the general category and had applied for the post of Drug Control Officer pursuant to an advertisement having been issued and to be filled up by the Health Department, State of Haryana.

Suffice it to observe that grievance raised in the petition is that the petitioner was not being called for interview on the premise that she does not possess the requisite experience whereas it was her case that as per terms and conditions contained in the advertisement at Annexure P-1, the petitioner is eligible and possesses the requisite experience.

The instant petition came up for preliminary hearing before this Court on 20.07.2020. On such date, counsel representing the Haryana Public Service Commission had taken a stand that a Committee of experts had been

constituted, who had gone into all the certificates submitted by the petitioner seeking appointment to the post of Drug Control Officer and it is such Expert Committee which had evaluated the experience certificate and thereafter advised the Commission as regards her not being eligible.

The poser put by the Court at the stage of issuance of notice of motion was that even a representation that had been preferred by the petitioner stood rejected on 14.07.2020 (Annexure P-13) and as to whether such rejection had also been based on the advise of the Expert Committee.

By virtue of interim directions, petitioner had been directed to be provisionally interviewed and her result was to be kept in a sealed cover and to be not declared without the leave of this Court.

On the previous date of hearing i.e. on 12.10.2020, counsel representing the respondent/Commission was directed to open the result of the petitioner pursuant to her having been interviewed on a provisional basis and to file an affidavit clarifying as to whether she would fall within the zone of consideration for purposes of appointment against any of the 14 posts of Drug Control Officers advertised pertaining to the general category. Towards compliance of the order dated 12.10.2020, an affidavit dated 03.11.2020 of the Secretary, Haryana Public Service Commission has been received by email and the same is taken on record. As per contents thereof, the final cut off marks for the general category for the post in question has been determined 59.76 whereas the petitioner has secured a total of 52.30 marks.

In view of such factual position, nothing survives for adjudication in the instant writ petition.

Petition disposed of.

The issue with regard to eligibility of the petitioner for the post of Drug Control Officer as regards her work experience is kept open.

04.11.2020

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |