

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12840 of 2020
Date of Decision: 27.08.2020

Sonika ... Petitioner

VS.

Haryana Staff Selection Commission ... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. VD Sharma, Advocate for the petitioner
Ms. Palika Monga, DAG Haryana

GIRISH AGNIHOTRI, J. (Oral)

(1) The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

(2) Notice of motion. Ms. Palika Monga, DAG Haryana accepts notice, through video conferencing. In view of the nature of order which this Court proposes to pass, there is no necessity to call upon the respondent to file its reply, at this stage.

(3) The present writ petition has been filed by petitioner Sonika *inter alia*, seeking a direction to the respondent-Commission to provide one opportunity to her on medical grounds for scrutiny of documents, for the post of Clerk.

(4) Learned counsel based upon the pleadings submits that the Haryana Staff Selection Commission vide advertisement No.5/2019 dated 20th June, 2019 (P1) had advertised 4858 posts of Clerks pertaining to different Departments/Corporations/Boards including 44 posts for eligible sports persons (ESP) Scheduled Caste category. The written examination was conducted and the petitioner appeared in the examination on 23rd September, 2019. On 04th August, 2020, the result of the written test was declared. However on 05th May, 2020, the petitioner had fallen from the roof

meantime, from 05th August, 2020 to 07th August, 2020, scrutiny of the documents was undertaken for the post of Clerks. The prayer of the petitioner is that because of having suffered injury due to falling from the roof and as such was advised bed-rest that she could not participate in the scrutiny. On 20th August, 2020 when she has recovered she has requested the authorities but since her request was not considered, she has filed the present writ petition.

(5) For the same/similar grievance, the petitioner had submitted the representation dated 15th August, 2020 (P11) to the competent authority i.e. the Secretary, Haryana Staff Selection Commission to sympathetically consider her request and allow her to participate in the scrutiny of documents now.

(6) Having heard learned counsel for the parties, it is deemed appropriate to direct the competent authority to take a decision sympathetically on the petitioner's representation. The competent authority, - while deciding the representation may take into consideration the medical problem of the petitioner, the fact that the final result has not yet been declared, and in totality of circumstances if it is deemed appropriate by the competent authority that one chance can be granted to her, let the petitioner be allowed to participate in the scrutiny of her documents, by the authorities now.

(7) Let the competent authority take a decision in accordance with law within one month from today.

(8) The writ petition stands disposed of accordingly.

27.08.2020

vishal shonkar

(Girish Agnihotri)
Judge

2. *Whether reportable?*

Yes/No