

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

106

CWP-15573-2020

Date of decision: 28.09.2020

Sweety

.....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Kuldeep Sheoran, Advocate for the petitioner.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Sweety, stated to be aged 27 year, has filed the present petition with a prayer for issuance of writ in the nature of mandamus directing the respondents to call the petitioner for the interview/viva-voce, which is stated to be held from 07.10.2020 to 08.10.2020 for the post of Staff Nurse against advertisement No.1/2015 (Cat. No.01) dated 19.06.2015 (Annexure P-2), in terms of the notice dated 11.09.2020 (Annexure P-13) with a further prayer to allow the petitioner to participate in the interview/viva voce provisionally for the post in question.

Notice of motion.

On asking of the Court, Ms. Palika Monga, DAG, Haryana, accepts notice on behalf of the respondents.

Learned counsel for the petitioner, based on the pleadings, submits

that Haryana Staff Selection Commission had invited applications for direct recruitment of 912 posts of Staff Nurses for the Health Department, Haryana, vide advertisement dated 19.06.2015 (Annexure P-2). On 08.05.2017, the result of the written examination was declared and interview was fixed in the month of August 2017, but, in Para 5 of the writ petition, it has been pleaded that the petitioner had not appeared in the interview because she was suffering from Typhoid and due to this, she was hospitalized at the time of interview. It is then submitted that vide notification dated 05.03.2019, a decision has been taken to treat the posts of SBC under the Unreserved/General category. Notice regarding scrutiny of documents was issued on 10.02.2020. It is also submitted that the Commission has issued notice for taking the interview and as per learned counsel, dates of interview have been fixed as 07.10.2020 and 08.10.2020. The grievance of the petitioner is that in fact her roll number does not figure in the notice whereby candidates have been called for interview.

Learned counsel for the petitioner further submits that for the same/similar grievance, the petitioner has submitted a representation dated 27.07.2020 (Annexure P-12) to The Chairman, Haryana Staff Selection Commission, Panchkula, but the same has not been decided till date.

While refraining from making any expression as regards the veracity of the averments made in the petition, the petition is **disposed of** with a direction that in case, the petitioner submits any representation before the Competent Authority, the same shall be got examined by the Competent Authority within one week from today, in accordance with law and necessary steps as may be warranted under the facts and circumstances of the case, be taken thereupon forthwith. In case, the representation is not decided within one

week, the Commission shall provisionally interview the petitioner for the post in question.

A copy of this order be sent to the Competent Authority by the Registry through e-mail or any other mode, so as to enable the said authority to do the needful expeditiously. Learned State counsel is also requested to forward the copy of representation as well as copy of this order to the Competent Authority.

Civil Writ Petition is disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

28.09.2020

anju rani

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No