

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

206

CIVIL WRIT PETITION NO.18728 OF 2015
DATE OF DECISION: JANUARY 28, 2020

Jatinder Kaur

.....Petitioner

VERSUS

State of Punjab and Ors.

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

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

Ms. Anu Pal, DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court with the prayer that she has passed her Prep Class when there was no 10+2 system of education. This fact is not disputed by the respondents, however, it has been asserted that since the petitioner has not passed her 10+2 examination, she would not be entitled to the benefit of counting the Prep. Class to be treated as one equivalent to 10+2 Class. The weightage, therefore, has been accordingly given to the petitioner. Counsel for the petitioner asserts that this action of the respondents is not sustainable in the light of the fact that the petitioner when had passed her Prep examination that was the only mode of education prevalent at that time. He thus contends that the petitioner should be granted the marks for Prep. treating it to be equivalent of 10+2.

Counsel for the respondents has placed reliance upon the order of the Chairman, Punjab School Education Board, dated 31.10.2013 (Annexure R-2/T) to contend that a person who has passed higher secondary exam under the old system, will be treated as equal to 10+1 of the now prevalent system of 10+2.

She, therefore contends that the petitioner cannot be granted the said benefit.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner was appointed in the year 1985-86 as Anganwadi Worker is now striving to seek appointment to the post of Supervisor. The claim of the petitioner, therefore, deserves to be accepted as per the fact admitted that the prevalent system of education when she had passed her Prep examination was the only option available and the system of 10+2 has been introduced at a later stage. Petitioner be granted the benefit by treating Prep as 10+2 and her merit be accordingly assessed. On consideration of her claim, her result be declared and in case the petitioner makes the grade, appoint her on the post available.

This exercise be carried out within a period of six weeks from today.

The writ petition is allowed in above terms.

28th January, 2020

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**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No