

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

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Civil Writ Petition No.20720 of 2014

Date of Decision: January 22<sup>nd</sup>, 2020

Chanchal Kumari and others

...Petitioners

Versus

State of Punjab and others

...Respondents

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

Present: Mr. R.K. Arora, Advocate  
for the petitioners.

Ms. Monica Chhibber Sharma, Sr. Deputy Advocate General,  
Punjab.

**AUGUSTINE GEORGE MASIH, J. (ORAL)**

It is apparent from the pleadings and the submissions of the counsel for the parties that petitioners No.1 and 2 would not make the merit list despite they being granted three marks for the diploma course, which they are claiming to have passed, therefore, their claim in any case cannot be accepted. As regards petitioner No.3-Ravinder Kaur, learned counsel for the petitioners asserts that even if she is not granted any marks for the diploma, which she claims she has passed and the same has not been found as per the selection criteria, still this petitioner would be entitled to 22 marks for her experience. He asserts that the date of appointment of the this petitioner was 18.08.1983 and at the time when the selection was done, she had completed more than 30 years of service and, therefore, deducting the 8 years, which are not to be taken into consideration, the experience marks would come to 22. In case the petitioner gets 22 marks, she would score 31.55 marks, which would be higher than the last selected candidate, who has obtained 31.29 marks. This, he asserts on the

basis of the rounding off principle as it is asserted that the petitioner is short of complete 22 years of experience by 17 days as on 01.07.2013, which is the date fixed for taking into consideration the experience.

2. This contention of learned counsel for the petitioners cannot be accepted, especially when there is nothing in the criteria laid down, which would indicate such rounding up to be resorted to in case of there being a candidate short of the experience. Clause 4 relatable to the matric category, to which the petitioner belongs, reads as follows:-

| <i>Sr. No.</i> | <i>Matric Category</i>                                                                                                   | <i>B.A. Category</i> |
|----------------|--------------------------------------------------------------------------------------------------------------------------|----------------------|
| <i>1.</i>      | <i>XXXX</i>                                                                                                              | <i>XXXX</i>          |
| <i>2.</i>      | <i>XXXX</i>                                                                                                              | <i>XXXX</i>          |
| <i>3.</i>      | <i>XXXX</i>                                                                                                              | <i>XXXX</i>          |
| <i>4.</i>      | <i>For Matric category one marks for each year above 8 years experience. Experience will be counted till 01.07.2013.</i> | <i>XXXX</i>          |

Perusal of the above clause would leave no manner of doubt that it is the total number of completed years as on 01.07.2013, which is the cut-off date fixed, which would be taken into consideration for calculating the experience. Unfortunately, the petitioner falls short by 17 days for completion of 22 years of countable experience. Since she has already been granted marks for actual completed period of service which is calculatable for the purpose of assigning marks, she would not be in a position to make the grade.

3. Her total marks as calculated by the respondents being less than the last selected candidate, would render her claim to the post of Supervisor unacceptable.

4. In view of the above, finding no merit in the present writ petition, the same stands dismissed.

**January 22<sup>nd</sup>, 2020**  
*Puneet*

**(AUGUSTINE GEORGE MASIH)**  
**JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No