

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

Sr. No.105

CWP No.6006 of 2021
Date of Decision: 16.03.2021

Ms. Suman

...Petitioner

Versus

State of Haryana and others

...Respondents

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Sunil K. Nehra, Advocate,
for the petitioner.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, the petitioner has sought the indulgence of this Court for the issuance of a writ in the nature of certiorari quashing the notice dated 10.03.2021 (Annexure P-9) issued by the Haryana Staff Selection Commission (here-in-after to be referred as "HSSC") whereby the ineligible candidates have been called for the interview for the selection to the posts of Art and Craft Teacher and she has further prayed for the issuance of a writ in the nature of mandamus directing the HSSC to first weed out the ineligible candidates before calling the candidates for the interview and to call thrice the number of women candidates of General Category for the interview against 129

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posts reserved for them and she has also prayed to stay the further process in pursuance of the said notice Annexure P-9 and to direct the HSSC to provisionally allow her to be interviewed.

2. As per the brief factual-matrix as canvassed by the petitioner in this petition, she had applied for the post of Art and Craft Teacher under Category No.22, in pursuance of Advertisement No.6 of 2006, issued by the HSSC and had remained successful in the recruitment process and was appointed on the said post in the year 2010. However, consequent upon a prolonged round of litigation upto the Apex Court, the selection of the Art and Craft Teachers stood quashed. Thereafter, on 25.01.2021, the HSSC issued a notice intimating therein that the written examination for the appointment to the said posts would be held on 31.01.2021. She had appeared in the said written examination with Roll No.2660010166 and the result thereof was declared by the HSSC on 23.02.2021 and her roll number was mentioned in the result-sheet. Thereafter, the candidates had been called during the period from 01.03.2021 to 03.03.2021 for the scrutiny of their documents. She also appeared for the said purpose on 03.03.2021 and was declared to be eligible in the said process. However, the HSSC has issued the said notice Annexure P-9 for calling the candidates for interview scheduled to be held during the period from 14.03.2021 to 18.03.2021 but her roll number did not find mention in the said notice whereas several candidates, who are ineligible for their appointment to the said post,

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have been called for the interview vide this notice and moreover, the requisite number of women candidates have not been called for the interview so as to fill up 33% posts as specially reserved for them.

3. Mr. S.S. Pannu, DAG, Haryana has joined the proceedings on behalf of all the respondents in this case, in pursuance of the copies of this petition having been sent to the respondent-State in advance.

4. I have heard learned counsel for the petitioner as well as learned State counsel in the present case at the preliminary stage and have also gone through the file thoroughly.

5. Learned counsel for the petitioner contends that the petitioner, being a woman, is entitled to be appointed under the quota of 33% posts as specially reserved for women and moreover, several ineligible candidates have been called for the interview whereas they should have been weeded out before calling the candidates for the interview and thus, the rightful claim of the petitioner for her appointment to the said post has been prejudiced/adversely affected.

6. *Per contra*, learned State counsel submits that the interview process for the selection of the candidates for the said posts is still going on and the result would be finalized once the said process comes to an end and hence, at this stage, the petitioner has no occasion to raise the afore-discussed contentions.

7. Undisputedly, the process of conducting the interviews for the purpose of selection of the candidates for the posts of Art and Craft

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Teacher, as advertised vide Advertisement No.6 of 2006 (Annexure P-1) is still going on. Throughout in this petition, the petitioner has not come forward with any candid and specific details of any ineligible candidate, allegedly called by the HSSC for the interview nor she has been able to show as to how 33% posts reserved for women are being filled up by ignoring them (women candidates) while conducting the selection process. Thus, it is explicit that the apprehensions of the petitioner are not well founded at this stage.

8. As a sequel to the fore-going discussion, the present petition is hereby dismissed for being premature. However, it is clarified that the petitioner will be at liberty to challenge the selection process in question at the appropriate stage provided there be an occasion to do so.

(MEENAKSHI I. MEHTA)
JUDGE

16.03.2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No