

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

CWP No. 15067 of 2021

DATE OF DECISION: 09.08.2021

Kalpana Sharma

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Dharam Bir Bhargav, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.
(Presence marked through video conferencing).

ARUN MONGA, J. (ORAL)

Petitioner has approached this Court under Articles 226/227 of Constitution of India, inter alia, seeking issuance of a writ in the nature of certiorari for quashing the selection list dated 17.05.2021 (Annexure P-8) in the category of HH Waiting (in order of merit), as the same is illegal, arbitrary and against the Rules and regulations framed by Haryana Staff Selection Commission. Further prayer has been made for taking into consideration the representation of the petitioner dated 01.07.2021 (Annexure P-13) in view of order passed by this Court in CWP No. 7704 of 2020.

2. Learned counsel for the petitioner pleads that vide Advertisement No.5 dated 20.06.2019, online applications were invited for the post of Clerk. Total number of posts were 4,858 (in all categories). The

petitioner, being Graduate in M.A English, was fully eligible and she applied for the same in PWD (person with disability) in Deaf and Hard of Hearing category, wherein total 39 posts were advertised. Admit card for written examination was also issued to the petitioner. Accordingly, the petitioner appeared in the written examination on 22.09.2019. Petitioner uploaded all the relevant documents with her application form. She applied for Hard of Hearing Certificate on 07.08.2019 but did not receive the same by 13.08.2019 and accordingly, uploaded the documents without that certificate. Apropos proceedings in CWP No. 7704 of 2020, respondent-Commission gave another chance to the candidates who were absent at the time of scrutiny of documents. Accordingly, the petitioner appeared on 25.07.2020 along with Hard of Hearing Certificate issued by Civil Surgeon (Medical), Ambala. The selection list in the PWD HH Waiting Category (in order of merit) was declared on 17.05.2021, wherein name of the petitioner did not find mention. The petitioner sought information under the RTI and came to know that petitioner has got 45 marks. The last selected candidate also secured 45 marks, which are equal to those of the petitioner. And yet, the petitioner has not been given benefit thereof, though she is elder in age.

3. In the premise, petitioner also submitted representation dated 01.07.2021 (Annexure P-13), but to no avail. Hence, the instant petition.

4. On advance service of copy of the petition, Mr. Saurabh Mohunta, DAG, Haryana, joins the proceedings and states that competent authority shall take appropriate decision on the pending representation dated 01.07.2021.

5. At this stage, learned counsel for the petitioner also submits that let a final decision be taken, either way, on the pending representation, giving reasons thereof.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.
7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority, to look into the grievance of the petitioner as per representation dated 01.07.2021 (Annexure P-13) and also by keeping in view the contentions raised in the instant petition by treating the same as supplementary representation and take a decision, in accordance with law.
8. Let the needful be done within a period of 45 days from today.
9. Disposed of accordingly.

AUGUST 09, 2021
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No