

CM-13500-CWP-2021 in
CWP No. 21552 of 2018 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 21552 of 2018 (O&M)
Date of Decision: December 03, 2021

Kranti

.... Petitioner(s)

Versus

State of Haryana and others

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Ashok Bhardwaj, Advocate
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.

Mr. Anurag Goyal, Advocate
for respondent no.4.

LISA GILL, J. (Oral)

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Learned counsel for the parties are *ad idem* that the controversy is squarely covered by the decision of Hon'ble Supreme Court in ***Haryana Staff Selection Commission Vs. Priyanka and others, 2021(4) SCT 80.***

In view of the above, application is allowed as prayed for. Writ petition is taken on Board for hearing today itself.

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Prayer in this writ petition is for setting aside the action of respondent no.3 in not considering the candidature of the petitioner and

further directing the respondents to consider the petitioner as eligible for appointment to the post of PGT Chemistry.

The petitioner's candidature had been rejected solely on the ground that the result of her qualifying examination i.e. B.Ed. had not been officially declared before the cut of date i.e. 12.10.2015, whereas it is the case of the petitioner as well as the stand of respondent no.4 – Maharshi Dayanand University, Rohtak, that the confidential result was duly declared on 10.10.2015, before the cut of date i.e. 12.10.2015. Furthermore, the result was directly communicated to the respondent-Commission by the University. In this view of the matter the petitioner is to be considered for the post of PGT Chemistry.

It is to be noticed that result of the petitioner was produced before the co-ordinate Bench on 17.12.2019 and it is noted that petitioner secured 142 marks out of 200 marks as against the rubicon of 138 marks. Therefore, in view of the judgment of the Hon'ble Supreme Court in *Priyanka's* case (supra), candidature of the petitioner has to be considered. However, it is not denied by learned counsel for the petitioner that pursuant to decision of the Hon'ble Supreme Court in *Priyanka's* case (supra), the entire result is subject to revision.

Keeping in view the facts and circumstances as above, this writ petition is disposed of with a direction to the respondents to consider the petitioner's candidature for the post of PGT Chemistry, in terms of the decision of Hon'ble Supreme Court in *Priyanka's* case (supra) and take

action accordingly while revising the result consequent to the abovesaid decision.

December 03, 2021

(Lisa Gill)
Judge

Sunil

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