

CM-12816-CWP-2021 in
CWP No. 25268 of 2018 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-12816-CWP-2021 in
CWP No. 25268 of 2018 (O&M)
Date of Decision: December 03, 2021

Ritu Petitioner(s)

Versus

State of Haryana and another Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Harish Nain, AAG, Haryana.

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.

CWP No. 25268 of 2018

Prayer in this writ petition is for setting aside action of respondents whereby the petitioner has not been allowed to participate in the interview for the post of TGT Science, reserved for S.C. category.

Learned counsel for the petitioner submits that the controversy involved in this writ petition is identical as the one involved in the

Priyanka's case (supra) i.e. whether the result declared confidentially by the University is to be treated as a validly declared result. The matter has been finally set to rest with it being held that the result declared confidentially by the University is a valid result and an applicant's candidature cannot be rejected merely on this ground.

Petitioner had participated in the selection for the post of TGT Science in the S.C. category, pursuant to advertisement no.3/2015 dated 28.06.2015. She successfully cleared her written examination but was ultimately not called for interview despite having secured 74 marks in the written examination, which was higher than the cut of marks i.e. 56 on the ground that the formal result of the B.Ed. examination was declared after the cut of date and the marks of the B.Ed. Examination were mentioned in the online application form merely on the basis of the confidential result.

Petitioner was permitted to be interviewed provisionally in compliance of order dated 09.10.2018 passed in this writ petition and it was further directed that her result be kept in sealed cover. Petitioner's result which remained in sealed cover, has been produced in compliance of order dated 15.09.2021. It is revealed that petitioner has secured 76 out of 85 marks in the written examination and 9 marks in the interview. It is informed that the last selected candidate in the S.C. category in TGT Science has secured a total of 56 marks. 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 TGT Science in the S.C. category, 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

Sunil

(Lisa Gill)
Judge

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