

CWP-26120-2018

Date of decision : October 26, 2021

SHILPA CHALIA

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Rahul Deswal, Advocate for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

LISA GILL, J.

Prayer in this petition is for directing respondent No. 2 to allow petitioner to participate in the interview for the post of PGT (Economics) category 4 as mentioned in advertisement dated 28.06.2015 (Annexure P1) as she could not appear in the interview scheduled to be held on 14.09.2018 due to illness.

While issuing notice of motion, contentions on behalf of the petitioner were noted as under:-

“ Learned counsel for the petitioner submits that petitioner has participated in the examination for the post of PGT Economics in SC Category. She has successfully cleared the written examination and scrutiny of documents was held on 04.04.2017. Thereafter, no communication was made by the respondent No.2 for appearing in interview and after passing of more than 01 year and 5 months, petitioner has been called for interview which was fixed for 14.09.2018 but petitioner could not get intimation from any source in regard to the date of interview for PGT (Economics) and could not appear in the interview. However, she has got 88 marks and the last candidate who was called for interview has got 56 marks.”

It was further ordered that the petitioner be allowed for interview provisionally, before declaring final result and her result be kept in sealed cover.

Petitioner's result has been produced in a sealed cover. Same has been opened and perused. Petitioner has scored 98 out of 200 marks. It is informed that last selected candidate has scored 94 marks, therefore, petitioner is qualified for selection, as she otherwise fulfils all other parameters of eligibility.

Learned counsel for the petitioner further refers to decisions dated 14.02.2019 in CWP-23879-2018 and 20.02.2019 in CWP-23675-2018 where writ petitions filed by similarly situated petitioners have been allowed.

Learned counsel for the State is unable to deny the above said decisions and it is further not denied that petitioner is otherwise eligible for appointment and has secured 98 marks, with the last selected candidate having secured 94 marks. It is only that petitioner had not appeared for the interview, which was scheduled to be held on 14.09.2018 and she was provisionally interviewed on 18.09.2018, pursuant to direction of this Court. No objection was raised during scrutiny of documents which were found in order.

Present writ petition is, accordingly, allowed. Respondent – Commission to recommend the name of petitioner for appointment to the post of PGT (Economics) category 4, within fifteen (15) days from the date of receipt of certified copy of this order and Education Department to issue appointment letter within fifteen (15) days thereafter.

Since the main writ petition has been allowed, pending application(s), if any, stand disposed of.

October 26, 2021
Rts

(Lisa Gill)
Judge

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