

CM-14827-CWP-2021 in/and
CWP-29994-2018 (O&M)
Date of Decision: December 21, 2021

Muskan

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Ms. Kirti Singh, DAG, Haryana.

LISA GILL, J.

Prayer in CM-14827-CWP-2021 is for disposal of this writ petition in terms of order dated 01.09.2021 passed by the Hon'ble Supreme Court in CA Nos. 5065-5095/2021 arising out of SLP (C) No. 25184-25214 of 2018.

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, writ petition is taken up for hearing today itself.

CWP No. 29994 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 PGT Chemistry Lecturer in General 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 PGT Chemistry in the General category, pursuant to advertisement no.4/2015 dated 28.06.2015. She successfully cleared her written examination but was ultimately not called for interview despite having secured 120 marks in the written examination, which was higher than the cut of marks i.e. 110 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 29.11.2018 passed in this writ petition and it was further directed that result of the petitioner would not be declared without leave of this Court. Learned counsel for the State prays for time to produce the petitioner's result in sealed cover. However, at this stage, I do not find any justification in keeping the matter pending to await production of the result of the petitioner.

It is to be noted that learned counsel for the petitioner and the State, admit 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 noted above, application i.e. CM-14827-CWP-2021 is allowed and this writ petition is

disposed of with a direction to the competent authority to consider the petitioner's candidature for the post of PGT Chemistry, in terms of the judgment of Hon'ble Supreme Court in *Priyanka's* case (supra), after opening the petitioner's result, which was kept in a sealed cover and necessary action be taken accordingly.

December 21, 2021
rts

(LISA GILL)
JUDGE

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