

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.23864 of 2021 (O&M)

Date of Decision:25.11.2021

Amit Sharma

.....Petitioner

Versus

Punjab and Haryana High Court, Chandigarh and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gagneshwar Walia, Advocate
for the petitioner.

Mr. Kanwal Goyal, Advocate
for respondents no.1 and 2.

LISA GILL, J(Oral).

Prayer in this writ petition is for quashing result of Senior Scale Stenographers dated 15.10.2020, Annexure P-5 and roll number wise result of candidates dated 15.10.2020, Annexure P-6, whereby petitioner has not been held qualified on the basis of alleged mistakes as the same, it is asserted are not mistakes, being grammatically correct and are as per common English usage/parlance.

It is submitted that petitioner participated in the competitive examination held for the post of Senior Scale Stenographer pursuant to advertisement dated 20.05.2017, Annexure P-1. Petitioner was not selected as he is stated to have committed 36 transcription mistakes in the Shorthand-cum-Typing Test, though he has got full marks in the Computer Proficiency Test. Learned counsel submits that criteria of permissible mistakes was relaxed from 4% to 6 % and candidates having 30 mistakes have also been appointed. While referring to mistakes in the Shorthand-cum-Typing Test of the petitioner, it is submitted that same are in-fact not to be considered as

mistakes as they are grammatically not incorrect and are in common usage. Petitioner, it is contended has only committed twenty six mistakes, which is within the permissible limit. Learned counsel for the petitioner submits that petitioner has used the spelling 'Meager' which has been found incorrect with the correct spelling to be 'Meagre', whereas 'meager' is also an acceptable spelling (as per U.S. norms). Similarly, petitioner has typed 'criminal justice delivery system' in small letters, which is wrongly taken to be incorrect, as the same is acceptable in small letters when used in a generic sense. Learned counsel refers to decision dated 08.11.2019 in CWP No. 18893 of 2015 to substantiate his arguments that in case said mistakes are ignored, petitioner would fall in the zone of consideration and as seven vacancies are still available, the petitioner should be appointed to the post of Senior Scale Stenographer. Learned counsel submits that in this respect representation dated 18.03.2021, Annexure P-14, was submitted, but no decision thereon has been taken till date. At this stage, learned counsel for the petitioner prays that the present writ petition be treated to be a comprehensive representation on behalf of the petitioner and respondent no.2 be directed to decide the same in a time bound manner.

Notice of motion.

Mr. Kanwal Goyal, at the asking of the Court, accepts notice on behalf of respondents no.1 and 2. Advance copy of writ petition stands supplied. Learned counsel for respondents no.1 and 2 does not raise any serious objection to the restricted prayer.

Keeping in view the facts and circumstances as above, but without expression of any opinion on the merits of the matter, it is directed that present writ petition be treated as a representation and respondent no.2-

Registrar Recruitment, Punjab and Haryana High Court, to decide the

petitioner’s claim, within four weeks from the date of receipt of certified copy of this order. In case of an order adverse to the petitioner, same be by way of a speaking order. It is clarified that there is no expression of opinion on the merits of the matter.

25.11.2021

s.khan

[LISA GILL]

Judge

Whether speaking/reasoned

:

Yes/No.

Whether reportable

:

Yes/No.