

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Civil Writ Petition No. 24141 of 2021

Date of Decision: December 07 , 2021.

Pankaj Kumar

..... PETITIONER (s)

Versus

State of Haryana and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ravinder Bangar, Advocate
for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This matter is being taken up for hearing through Video Conferencing due to outbreak of the pandemic, COVID-19.

Present writ petition has been filed for issuance of a writ in the nature of mandamus for directing respondent No.3 to declare the waiting list of BC-A category for the posts of Art & Craft Teacher against Advt. No.06/2006, Cat. No.22 because petitioner is stated to be a more meritorious candidate than the last candidate called for interview vide notice dated 22.11.2021 (Annexure P10) in BC-A category. It is submitted that petitioner, as per his own calculation, secured 116 marks in the written examination itself without the addition of marks he would secure in the interview, whereas the last candidate

called in BC-A category obtained 92 marks. It is further stated that petitioner pursuant to notice dated 10.03.2021, presented the requisite documents at the time of interview/scrutiny but he has wrongly not been reflected as selected in the final result. Moreover, 14 posts have been kept vacant as per the final result dated 14.11.2021 (Annexure P8). It is further stated that representation dated 15.11.2021 (Annexure P9) was submitted by the petitioner before the Secretary, Haryana Staff Selection Commission, Panchkula but no action has been taken till today.

Be that as it may, learned counsel for the petitioner is unable to deny that petitioner has secured the required/requisite qualifications from Kurukshetra University, therefore, in terms of the judgment of the Hon'ble Supreme Court in **Devender Bhaskar and others v. State of Haryana and others, 2022(1) SCT 51**, the petitioner is not eligible for appointment to the post of Art and Craft Teacher.

Keeping in view the facts as above, I do not find any ground to interfere in the present writ petition at the instance of the petitioner, who is not eligible for appointment to the post in question in view of the judgment of the Hon'ble Supreme Court in **Devender Bhaskar's case** (supra).

Writ petition is accordingly dismissed.

December 07 , 2021.

'om'

**(LISA GILL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No