

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Item No.120

**CWP-10376-2022 (O&M)
Date of decision: May 23, 2022**

Savita

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Arvinder Arora, Advocate
for the petitioner.

Mr. Pankaj Middha, Addl.A.G, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus for directing the official respondent No.2 to consider candidature of the petitioner for the post of Staff Nurse in the Backward Class "B" (BC-A) category, instead of BC-A and also seeking directions to the respondents to modify the final result (Annexure P-10) uploaded on 10.04.2022 on the official website accordingly.

2. Having heard the competing arguments, I am of the view that it is settled position of law that category cannot be permitted to be changed especially after declaration of the result. On a Court query, learned State Counsel on instructions from Mr. Dikansh Goel, Legal Assistant, Haryana Staff Selection Commission submits that concededly, the candidature of the petitioner has not been rejected in Class "A" (BC-A) Category. In the premise, I see no reason why she will not be given the benefit according to her performance and merit in BC-A category and her case be not processed accordingly.

3. Resultantly, writ petition is disposed of with the direction to the official respondents that, in case they consider the petitioner eligible

in the category she had applied i.e., Class “A” (BC-A) Category, though she claims that she had inadvertently applied in that category, then benefit of selection in result be granted to her subject to her merit in the written examination and process her case in the category she originally applied and the result be modified accordingly.

4. Qua other grievance of the petitioner vis-à-vis her candidature not being considered under Sports quota (same being horizontal reservation), she is at liberty to make representation which will be considered in accordance with law.

5. Since the main case has been decided, pending civil miscellaneous applications, if any, also stand disposed of.

(ARUN MONGA)
JUDGE

May 23, 2022

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No