

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

CWP No.11075 of 2019 (O&M)

Date of Decision.20.04.2022

Ritu Kumari

...Petitioner

Vs

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sandeep Goyat, Advocate
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.

:-

JAISHREE THAKUR J. (ORAL)

Counsel for the petitioner has approached this Court by way of instant writ petition for quashing the final result dated 03.03.2019 as three marks have not been awarded to the petitioner on account of post-graduation qualification.

In brief, the facts are that the petitioner had applied under the SC category for the post of Female Constable (General Duty) under category No.2 in Advertisement No.3/2018 dated 16.04.2018. As per the advertisement, the last date for submission of online application was 28.05.2018 and the last date to deposit the fee was 30.05.2018. The petitioner, who had undertaken the post-graduate course was issued the marksheet on 20.09.2018. The respondent No.3-Commission had extended the date of submission of the applications upto 22.10.2018 and therefore, since the petitioner had obtained the marksheet of her post-graduation degree on 20.09.2018, she was entitled to three additional marks, which

have been denied to her.

Learned counsel appearing on behalf of the petitioner would contend that even though the last date for submission of online application was 28.05.2018 and to deposit the fee was 30.05.2018, the said cut-off date was extended till 22.10.2018. It is submitted that she has been denied the additional three marks by taking the plea that she did not have the necessary qualification on the cut-off date i.e. 28.05.2018. It is argued that once the date had been extended by the Commission itself and the last cut-off date was 22.10.2018, there would be no justification for the respondent-Commission to deny the petitioner three additional marks. Counsel for the petitioner would rely upon the judgment passed by a Coordinate Bench of this Court in CWP No.3841 of 2019 titled as *Rahul Kumar Vs. State of Haryana and another* decided on 21.02.2019 where in similar circumstances, the Commission had been directed to take into account the detailed marksheet of the petitioner.

On the other hand, learned counsel appearing for the respondent-State would submit that the petitioner did not have the detailed marksheet within the cut-off date as stipulated in the advertisement.

I have heard learned counsel for the parties and find that the plea taken by the respondent-State in denying three marks to the petitioner for post-graduation qualification is wholly unjustified, in view of the fact that cut-off date itself was extended upto 22.10.2018. Consequently, the instant writ petition is allowed. The respondent-Commission is directed to reconsider the grant of three additional marks to the petitioner in the light of the fact that the petitioner has attained the post-graduation degree well before the extended date. In case, the petitioner is found eligible and

satisfies other conditions as mentioned in the advertisement, let she be offered appointment to the post of Female Constable (General Duty). Let this exercise be completed within a period of two months from the date of receipt of certified copy of this order.

(JAISHREE THAKUR)
JUDGE

April 20, 2022
Pankaj*

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