

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

CWP NO. 11098 OF 2022

DATE OF DECISION: 23.05.2022

Saurabh and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. M. S. Kathuria, Advocate,
For the petitioners.

Mr. Sharan Sethi, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of certiorari for setting-aside final result dated 25.04.2022 (Annexure P-6) and provisional list dated 07.05.2022 (Annexure P-7) of the selected candidates asking them for document verification as per advertisement dated 20.03.2022 (Annexure P-1).

2. Respondent-National Health Mission (Haryana) ("NHM") advertised 787 posts of Mid-Level Health Providers-cum-Community Health Officers (MLHPs-cum-CHOs) on contract basis under the NHM. Petitioners are stated to be already working as CHOs at different stations, applied for the same. They appeared in the written examination held on 24.04.2022, result of which was declared on 25.04.2022. It is alleged that the impugned result suffers from various irregularities and as such, petitioners also made representation to the respondent-NHM.

3. I have heard the learned counsel for the petitioners as well as learned State counsel, who appears on advance service. Learned State counsel on instructions from Ms. Reena Malik, Law Officer, NHM, Haryana, submits that even if petitioners No.1, 2 and 4 are given benefit of additional 05 marks as claimed by them, then also on the basis of their result in the written examination they do not make it in the category they had applied for.

4. *Qua* the grievance of the petitioners that certain irregularities are committed in the entire selection process, I am not inclined to interfere at this stage. Having unsuccessfully participated and based on their less meritorious performance and their non-selection, they are now making completely baseless allegations, without any cogent material.

5. The criteria adopted by the respondent-NHM, as per advertisement dated 20.03.2022 (Annexure P-1) is not under challenge and there is nothing on record to show that same was not adopted by the respondents. The argument of learned counsel for the petitioner that all candidates across board ought to have been given OMR sheets before declaration of result, is without any basis. There is no such provision in the advertisement and/or in the criteria to be adopted by the respondents. Concededly, the answer key as aforesaid has to be provided upon declaration of the result making all the candidates aware with regard to their performance by way of self assessment.

6. Argument that result has not been declared category-wise i.e. it is not clear as to what are the marks of the last selected candidate in the respective category they have applied is fair and reasonable. But, since it is only a provisional result at this stage, it is expected of the respondent/Commission to prepare the result in accordance with the merit

list prepared by them qua each category and place the same on the website for all of the candidates to know their marks. It be clearly and transparently shown therein the marks obtained by the last selected candidate in the respective category he/she had applied.

7. As regards petitioner No.3, learned State counsel on instructions submits that subject to verification of relevant documents, benefit of socio-economic criteria, if found entitled, shall be accorded to her.

8. In the aforesaid premise, no useful purpose would be served to keep the present writ proceedings pending.

9. Disposed of in above terms.

MAY 23, 2022
Shalini/mahavir

(ARUN MONGA)
JUDGE

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