

CM-18482-CWP-2022 in/and
CWP No. 13669 of 2017

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(106+207)

CM-18482-CWP-2022 in/and
CWP No. 13669 of 2017
Date of Decision : 24.11.2022

Pravisha Pandey

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harish Mehla, Advocate for the petitioner.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM-18482-CWP-2022

Present application has been filed for placing on record replies
as Annexures P-6 to P-8.

Application is allowed and replies as Annexures P-6 to P-8 are
taken on record.

CWP-13669-2017

Learned counsel for the petitioner argues that petitioner
competed in pursuance to the Advertisement No. 11(i) of 2016 (Annexure
P-1) vide which the posts of Dietitians were advertised by the respondents.

Learned counsel for the petitioner argues that though in the advertisement,
specific qualifications were prescribed, which were not possessed by the

petitioner but the petitioner was entitled to compete on the ground that the petitioner was having higher qualification than the required for under the advertisement. Petitioner cleared the written examination and was called for interview and thereafter, during the scrutiny of the documents, the petitioner was declared ineligible on the ground that she was not having the required qualification as mentioned in the advertisement.

Learned counsel for the petitioner submits that the petitioner had scored the highest marks in the selection process but was being ousted only on the technicality that the petitioner was not eligible despite she possessing a higher qualification than asked for.

Learned counsel for the respondents submits that without there being any rejection on the claim of the petitioner that the qualifications possessed by the petitioner are not inconsonance with the requirement of the advertisement, the petitioner could not have been ousted from the zone of consideration hence, it was incumbent upon the respondents to pass appropriate order on the representation of the petitioner dated 07.06.2017 (Annexure P-3).

Learned counsel for the respondents submits that in case, the only grievance of the petitioner is that she was not informed about the reasons for ousting her from the zone of consideration, appropriate order on the representation will be passed within a period of four weeks of the receipt of copy of this order. Learned counsel for the respondents further submits that till an appropriate order is passed on the representation filed by the petitioner in case, no appointment has been made so far on post on which the petitioner competed, the said post will be kept vacant till the decision.

Learned counsel for the petitioner submits that keeping in view the above, present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

CM-17730-CWP-2017

As the main petition has been disposed of, present application also stands disposed of.

November 24, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No