

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16898-2022

Date of Decision: 03.08.2022

DEEPIKA

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. JasbirMor, Advocate
for the petitioner.

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

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of appropriate writ directing the respondents to consider her candidature in the General/EWS category, despite her being shown in the General category Selection list dated 10.04.2022 (Annexure P-9).

2. Plead case is that at the time of submission of application and verification of document for the post of Staff Nurse, the petitioner was un-married. She thus filled up her form under the category “none of her family member was in government job”. She scored 54 marks in written but she was not accorded 5 additional marks despite none in her birth family being in government job. She subsequently, after the cut off date, got married on 14.11.2022 and her husband is in government service. Grievance of the petitioner is that her parental status, as on relevant cut-off date, was not taken into consideration. Had she been awarded 5 additional marks under said category by considering her parental status, she would be in the selection zone. Learned counsel for the petitioner, *inter alia*, relies upon judgment of Apex Court in ***Bhupinder Pal Singh vs State of Punjab and others, 2000(2) SCT 826***, in support of his contentions.

3. On advance service, learned State counsel appears and submits that a decision will be taken by the competent authority, either way, by passing a speaking order, if representation is moved by the petitioner at this stage.

4. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

5. Without commenting on the merits of the case, the instant petition is disposed of with a direction that in case representation is moved by the petitioner within one week from today, the same shall be decided by respondents by passing an administrative order, in accordance with law, within a period of 30 days thereafter. It is expected of the competent authority to go through the judgment *ibid* before passing any order.

6. Disposed of accordingly.

August 03, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No