

253-A

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-18310-2020 (O&M)

Date of decision: August 30, 2022

Babita

.....Petitioner

versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Ms. Kuljeet Kaur, Advocate for
Mr. H.P.S. Ishar, Advocate for the petitioner.

Ms. Mamta Singla Talwar, DAG Haryana.

Mr. Kanwal Goyal, Advocate and
Mr. Govind Tanwar, Advocate for
the respondent-Commission.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing the criteria dated 31.07.2020 (Annexure P-12) fixed after declaration of the result of written examination, so as to benefit certain candidates as well as final result dated 18.09.2020 (Annexure P-13) issued by respondent No.2 for the post of Drug Control Officer, allegedly being based upon the wrong selection criteria.

2. Learned counsel for the petitioner submits that petitioner, being eligible, applied for the post of Drug Control Officer in Scheduled Caste category against corrigendum, modification of Advertisement No.2(6)/2015 published on 10.09.2015 (Annexure P-1). Petitioner also appended her experience certificate along with other documents. Petitioner appeared in the written examination and qualified the same. Respondent No.2 also published criteria dated 31.07.2020 (Annexure P-12) for selection to the post of Drug

Control Officer. Selection criteria should have been fixed before initiating the selection process. Since eligible sportsperson have been given specific reservation, there was no need to give them additional marks. Therefore, the selection criterion was made with the oblique motive to benefit certain candidates. Respondent No.2 published final result dated 18.09.2020 (Annexure P-13). Candidate having roll No.20465 was declared qualified in the written examination in the category of Eligible Sportsperson but was declared selected in SC category and against the post of Sportsperson category mentioning that no suitable candidate was found. Petitioner also served a legal notice dated 13.10.2020 (Annexure P-14).

3. I have heard learned counsel for the parties and perused the record.
4. Result has been declared and the same reveals that even if the claim of the petitioner *qua* her eligibility is accepted, still she would not make cut as she has secured 40.83 marks against the cut-off of 44.16 marks.
5. In the premise, it seems that being unaware of his actual result, the petitioner was misled into filing the instant petition premised on an understanding that he has secured more marks than the cut-off.
6. The result of the petitioner is not under challenge before this Court. Being so, no further grounds to interfere are made out.
7. Dismissed.

(ARUN MONGA)
JUDGE

August 30, 2022

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No