

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

(232)

CWP-36935-2019

Date of Decision : November 09, 2022

Shakuntla Devi

.. Petitioner

Versus

Haryana Staff Selection Commission and another .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sushil Sheoran, Advocate, for the petitioner.

Mr. Sandeep Singh Maan, Additional Advocate General,
Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the grievance of the petitioner is that while considering the claim of the petitioner for the post of PGT (English) as advertised vide advertisement No. 4/2015 dated 28.06.2015, the petitioner's merit has not been evaluated as per her entitlement.

The grievance of the petitioner is that the petitioner was entitled for the grant of 16 marks for experience whereas, the petitioner has only been granted 14 marks and the petitioner is short by 2 marks in the final result to come within the zone of selection keeping in view the number of posts advertised in the category in which the petitioner was competing.

As per the petitioner, the petitioner has more than eight years of experience to her credit and as per the advertisement, a candidate was required to be given two marks for each year of experience and therefore, the petitioner was entitled for 16 marks for experience while calculating her total merit whereas, only 14 marks have been given to her.

After notice of motion, the respondents have filed the reply wherein, the respondents have stated that as per the guidelines, which have been issued by the Directorate of School Education dated 12.08.2008, in case of the teachers, who are working as a Master/C&V Teacher and the Lecturer, the experience in the number of weeks will be calculated by dividing the number of periods taught by that Guest Teacher at the post of Lecturer by 30 so as to arrive at the total number of weeks a candidate has worked so as to grant the benefit of experience and as per the said guidelines dated 12.08.2008, the petitioner has rendered the total experience of 88 months and 12 days, which is less than eight years.

Learned counsel for the respondents submits that keeping in view the instructions dated 12.08.2008, 14 marks have been given to the petitioner, which is correct.

Learned counsel for the petitioner submits that marks for experience should be granted upto the date of interview which was held in the year 2018 and should not be restricted upto the last date of submission of application form, hence, the petitioner, upto the date of interview, has more than 8 years of experience, for which she is entitled for the grant of 16 marks.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It is a conceded position that as per the advertisement, a candidate was to get two marks for each complete year of experience subject to the maximum of 16 marks. In order to calculate the experience of the Guest Teachers, who were working as Lecturer, the State has already framed a criteria as far as back in the year 2008 so as to adjudge the number of years a Guest Teacher has worked so as to grant him/her the marks for experience.

It is a conceded position that as per the said guidelines of the Directorate School Education, Department of Haryana dated 12.08.2008, when put into operation in the case of the petitioner, the petitioner has 7 years, 5 months and 6 days of experience upto the last of the application form i.e. 12.10.2015. That being so, the petitioner has been given 14 marks as per her entitlement, therefore, no grievance can be made by the petitioner in the said regard.

Qua the assertion of the petitioner that the petitioner's experience upto the date of interview be taken for the grant of marks, the said argument cannot be accepted keeping in view the terms and conditions of the advertisement. As per the said advertisement, the eligibility of a candidate is to be seen upto the last date of application form which was October, 2015. Once, a same yardstick has been applied by the respondents qua all the candidates, the petitioner cannot claim the benefit of experience upto the date of interview. Therefore, the prayer of the petitioner for the grant of marks for experience which the petitioner has gained upto the date of interview, is contrary to the terms and conditions of the advertisement,

hence, cannot be accepted.

Keeping in view the above, no interference is called for by this Court in the facts and circumstances of the present case and the writ petition is accordingly dismissed.

November 09, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No