

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-8053-2023 (O&M)

Date of Decision: 12.05.2023

SONIA

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sanchit Punia, Advocate
for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of a writ in the nature of Mandamus directing the respondents to consider the higher qualification in the same line for the post of Trained Graduate Teacher (English) against advertisement No.2/2023 dated 21.02.2023 (Category No.1), in view of the instructions dated 25.03.2016 (Annexure P-4).

Learned counsel for the petitioner submits that though the petitioner is not having the requisite qualification, yet the fact remains that he is having higher education in the same line i.e. Master of Arts (English). He relies upon the instructions dated 25.03.2016 (Annexure P-4) with regard to minimum qualification for a post, eligibility of candidates possessing higher qualifications than those laid down as minimum. He further submits that the respondent-Department is in the process of conducting examination on 14.05.2023.

At this stage, learned counsel for the petitioner submits that for redressal of her grievances, the petitioner has moved a representation dated 13.03.2023 (Annexure P-5), but the same has not been decided till date. He confines his argument to the extent that the respondents be directed to decide the said representation today itself, as the examination is scheduled for 14.05.2023.

On 20.04.2023, notice of motion was issued to respondent No.3 only.

Learned State counsel submits that he has no objection if the aforesaid limited prayer made by the learned counsel for the petitioner is allowed.

In view of the above, the present petition is disposed of with a direction to respondent No.3-Secretary, Haryana Staff Selection Commission, to decide the representation dated 13.03.2023 (Annexure P-5) moved by the petitioner, forthwith, by passing a speaking order, as per law and to act accordingly.

12.05.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*