

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 14465 of 2013

Date of Decision: 10.01.2023

Shinderpal Kaur

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sukhdeep Singh Bhinder, Advocate
for the petitioner(s).

Mr. Mohit Kapoor, Additional Advocate General,
Punjab, for the respondent No.1 and 2.

Anil Kshetarpal, J.

1. The petitioner prays for issuance of a writ in the nature of mandamus to direct the respondents to appoint the petitioner to the post of Staff Nurse.

2. The relevant facts, in brief, are required to be noticed. Pursuant to the recruitment notice dated 26.07.2011, the petitioner applied for the post of Staff Nurse under the “sports” category. In the “sports” category, 12 posts were kept reserved. The petitioner who has participated at the district level tournament, has not been selected, whereas, the last candidate selected under the aforesaid category has “Gradation C” certificate (a participant of the State Level Tournament).

3. The learned counsel representing the petitioner submits that since the petitioner secured higher marks in the written test, therefore, she

has to be preferred. This Court has considered the submissions. The

recruitment notice or the service rules do not provide for any preference on the basis of marks obtained in the written test. The purpose of reservation for sportsperson in the service is to acknowledge their contribution in the field of sports as well as to encourage and promote the playing of sports in the public. Hence, amongst the sportsperson, the State has adopted the criteria to select the best and no candidate falling in the aforesaid reserved category can claim preference to the post merely on the basis of higher marks in the written test unless specifically provided.

4. Keeping in view the aforesaid facts, no ground is made out to issue a writ. Hence, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

January 10, 2023
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No