

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 21664 of 2014(O&M)
Date of Order:02.05.2023

Chamandeep Kaur
Versus
State of Punjab and others

.Petitioner
..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Tribhuvan Singla, Advocate and
Mr. Rajan Bansal, Advocate, for the petitioner.
Mr. R.S.Pandher, Sr. DAG, Punjab
Mr. D.K.Malhotra, Advocate, for respondent no.3

ANIL KSHETARPAL, J

1. The petitioner prays for the issuance of a writ in the nature of certiorari to quash the selection of respondent no.5 to 8 as Supervisors.
2. The petitioner is working as an Anganwari Worker. A recruitment notice was issued in the year 2013 to recruit 286 Supervisors under the Child Welfare Council, Punjab. The petitioner claims that she possesses a Post Graduation Degree in three subjects, namely, Economic, Punjabi and M.Sc. (Technology), hence she is entitled to 10% marks for holding the additional Post Graduation degrees as per the recruitment notice Annexure P-1. Whereas, it is the stand of the respondent no.3-Council that the petitioner is entitled to only 5% marks on account of the additional post graduation degree irrespective of the number of the additional degrees a candidate holds.
3. The relevant part of the recruitment notice is extracted as under:-

Sr.No.	For Matric Category	For B.A. Category
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1.	10% of total marks obtained in 10 th class	10% of the total marks obtained in B.A., B.Sc. or any other Graduate level course.
2.	10% of total marks obtained in +2 if any diploma is passed in any of the following fields, then 3 marks will be given for that Diploma 1. Social Security 2. Women and Children Welfare 3. Related to Health 4. In the field of Education	10% of total marks obtained in M.A., M.Sc. or any other Post Graduate Level course. If additional M.A is passed then 5% will be taken of total marks obtained. 5 marks for M.Phil 10 marks for Ph.D 5 marks for B.Ed. and 5 marks for M.Ed.

4. Clearly, the recruitment notice specifies that a maximum of 5% marks will be awarded for possessing an additional M.A. Degree, while 10% of the total marks obtained in M.A., M.Sc. Or any other post graduate level course have been prescribed. The second point nowhere signifies 5% additional marks for each Post Graduate Level course as the point is written in a singular manner. Though, there is ambiguity in the provision, however, the Selection Committee has consistently interpreted the aforesaid provisions in a particular manner. Moreover, 10 years have elapsed since then.

5. At this stage, keeping in view the aforesaid facts and discussion, no ground to issue the writ as prayed for is made out.

6. Dismissed.

7. All the pending miscellaneous applications, if any, are also disposed of.

May 02, 2023

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Whether speaking/reasoned

Whether reportable

(ANIL KSHETARPAL)

JUDGE

:YES/NO

:YES/NO