

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

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**CWP-27358-2016 (O&M)
Date of decision: 19.01.2023**

Rajdavinder Kaur

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Aruna Sachdeva, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks issuance of a writ in the nature of Certiorari quashing the result declared on 23.10.2016 (Annexure P-15) without disclosing marks in the written examination held on 03.03.2016 and notice dated 30.11.2016 for scrutiny of documents for the posts of Post Graduate Teacher (PGT) Punjabi (Annexure P-16) and to direct the respondents to declare the result of the written examination in a fair manner by disclosing marks of the written examination and prepare a fresh merit list for scrutiny of documents.

Learned counsel for the petitioner submits that the petitioner had applied online for (PGT) Punjabi against advertisement No. 04/2015 issued by respondent No.3, on 28.06.2015. It is further submitted that while declaring the result, the marks secured by the candidates were not disclosed and only the marks obtained by the last selected candidates, in each category, were disclosed. It is yet further submitted that in compliance of the order

passed by a Coordinate Bench of this Court in CWP-22746-2016, a notice for scrutiny of documents was issued on 30.11.2016.

Learned State counsel submits that no case is made out to challenge the result, which was declared on 23.10.2016. As per the result, the last selected candidate secured 92 marks, whereas the petitioner has secured 90 marks and as far as the declaration of result on the asking of the petitioner is concerned, it is the settled criteria as per Rules that in a selection process, the result is to be declared in one go.

I have heard the learned counsel for the parties and have also gone through the documents on record.

Perusal of the documents would reveal that the petitioner possess the qualification of Bachelor of Arts, Bachelor of Education, Giani, M.A. M.Phil, Master of Education, Haryana Teacher Eligibility Test (HTET) for Level-3 (PGT) qualified and is having teaching experience as an Assistant Professor of Punjabi from 01.11.2012 to 13.04.2015 in Budha College of Education. She had applied online for the post of PGT Punjabi. Admit card was issued to her on the basis of which she had appeared in the written examination. A merit list inviting the candidates for interview was published and notice for scrutiny of documents was issued on 30.11.2016 in compliance of the order passed by a Co-ordinate Bench in CWP-22746-2016 and as per the merit list candidates were called for interview. The petitioner has secured 90 marks, whereas last selected candidate secured 92 marks. The petitioner has no counter to the fact that she has secured 90 marks. Once, the petitioner had participated in the selection process, she cannot turn around and question the method of selection, especially when no illegality in the conduct of the

selection process, has been established on record. Reference can be made to the law laid down by the Hon’ble Supreme Court in Madras Institute of Development Studies and another Vs. Dr. Sivasubramaniyan and others, AIR 2015 SC 3643.

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

19.01.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No