

101.

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

CWP-23063-2018

Date of Decision: 17.02.2023

RAJ KALA

.... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the petitioner.

Mr. Anant Kataria, DAG, Haryana

JAISHREE THAKUR.J (Oral)

The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of mandamus seeking a direction to respondent No.2 to allow the petitioner to participate in the interview for the post of Auction Recorder of Haryana State Agriculture Marketing Board against advertisement No.7/2015.

The petitioner herein had approached the Court stating that pursuant to the advertisement, she had applied for the post of Auction Recorder and had given written examination under the General ESM category as a dependant of ESM. The petitioner was not called for the interview despite the fact that she had secured 62 marks in the written examination and the cut off marks for the ESM category was just 34 marks.

By an order dated 10.09.2018, the petitioner was permitted to be provisionally interviewed and her result was ordered to be kept in a sealed

cover. Her result was produced on the last date of hearing which would reflect that she had secured 97 marks in total.

On the last date of hearing i.e. 13.02.2023 when the case was taken up for hearing and the result was produced and opened, none appeared on behalf of the petitioner. The matter was adjourned to be taken up for hearing today i.e. 17.02.2023 in the urgent list.

No one has put in appearance on behalf of the petitioner today as well and, therefore, this writ petition is being disposed of in her absence.

Learned State counsel, on instructions from Ms. Manjit Kaur, LO, HSSC, would submit that the last person in the merit list in the DESM category had secured 102 marks and, therefore, the petitioner, who has secured 97 marks in all would not be entitled for appointment. It is further submitted that the six months' computer certificate, as relied upon by the candidate, cannot be taken into consideration as it is not from any of the 16 institutions, as enlisted. It is submitted that other candidates, who have obtained computer qualification, as furnished by the petitioner, have not been offered appointment.

On hearing counsel for the respondent-State, this Court is of the opinion that the writ petition deserved to be dismissed as the petitioner has neither merit nor the requisite essential qualification.

Dismissed.

(JAISHREE THAKUR)
JUDGE

17.02.2023
sanjeev

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No