

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

234

CWP-27479-2018 (O&M)

Date of Decision: 23.01.2023

URMILA DEVI

... Petitioner

Versus

STATE OF HARYANA AND ANR

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Shivam Malik, Advocate
for the petitioner.

Mr. Rohit Arya, DAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks issuance of a writ in the nature of Mandamus directing the respondents to consider the petitioner under the categories in which she has applied for the post of Trained Graduate Teacher (TGT) Punjabi.

Learned counsel for the petitioner submits that respondent No.2, vide advertisement dated 17.03.2016, advertised 189 posts of TGT Punjabi; that pursuant to the said advertisement, the petitioner applied under Backward Class-B (BCB) as well as physically handicap categories, being Orthopedically Handicap to the extent of 70%; that the petitioner cleared the written examination conducted by respondent No.2 on 24.07.2016 and was called for scrutiny of the documents on 21.04.2017 and that, though, candidates twice the number of vacancies were called for the interview/viva voce on 29.10.2018, yet the petitioner was not called for. He further submits that the petitioner was though

unable to qualify the test under Physically Handicap category, yet she has qualified the same under BCB category and that, now at this stage, respondent No.2 has called for several other candidates, who are less meritorious than the petitioner, from the waiting list.

Learned State counsel submits that since the petitioner did not make to the cut-off marks under both the categories, she was not declared successful. He further submits that, as far as the argument with regard to the calling of candidates from the waiting list is concerned, the same is a subsequent process and thus, has neither been challenged nor can be challenged in this petition. Still further, it is submitted that the candidates, who are alleged to have been called now by the Department from the waiting list, are not the respondents herein and thus, no relief can be sought against them.

I have heard the learned counsel for the parties.

Admittedly, the petitioner was unable to qualify the test under Physically Handicap category. Thereafter, vide order dated 29.10.2018, the respondent-Department was directed to provisionally interview the petitioner under BCB Category and keep her result in a sealed cover.

On 23.09.2021, the result of the petitioner was produced in Court, which was opened and seen. Perusal of the same revealed that the petitioner has got 88 marks in written examination and 11 marks in the interview (total 99 marks) under BCB category.

On a specific query put to the learned counsel for the petitioner, as to what was the cut-off marks under BCB Category, he replied that the last selected candidate has secured 112 marks under BCB category. Thus, it is clear that the petitioner has not been able to qualify the test under the BCB Category as well.

In view of the above, I find no merits in the present petition.
Dismissed.

However, the petitioner would be at liberty to challenge any subsequent action of the respondents, if so advised.

23.01.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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