

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP--22317 -2022 (O&M)
Decided on : 20.12.2023

Roshni Devi

...Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the challenge is to the decision of the respondents-Commission to disqualifying the petitioner so as to compete for the post of Multi Purpose Health Worker (Female) as advertised by advertisement No. 15/2019 dated 07.09.2019 (Annexure P-1).

2. Learned counsel for the petitioner submits that by the impugned order the candidature of three candidates was cancelled on the ground that false information was supplied by them so as to get five marks under the Socio-economic criteria.

3. Learned counsel for the petitioner further submits that apart from the petitioner one Renu Sharma was also held guilty of suppression of the material information so as to claim the grant of five marks under socio-economic criteria, and thereafter, her candidature was again recommended for the appointment on the post in question on the ground that even after withdrawing the five marks under socio-economic criteria, the said Renu Sharma was within the zone of consideration for the post in question.

4. Lenard counsel for the petitioner submits that same is the case with the petitioner as well as even after withdrawing the five marks which

were to be granted under the socio-economic criteria, the petitioner is within the zone of consideration.

5. Learned counsel for the respondents submits that in the present case, the claim of the petitioner cannot be equated with Renu Sharma as, Renu sharma, had already written a letter to withdraw the five marks given under Socio- economic Criteria hence, once, in pursuance to the public notice issued by the department concerned, Renu Sharma had withdrawn the five marks given under Socio economic Criteria, she was treated as eligible to compete, whereas, no such fact has come on record as to whether the petitioner also withdrew her claim for five marks under the socio-economic criteria in pursuance of the public notice issued by the department concerned.

6. Learned counsel for the petitioner further submits that the petitioner has also submitted a letter on 27.12.2021 and thereafter, again a similar request was made on 02.05.2022 to withdraw the marks under the socio economic criteria, hence, the petitioner is similarly situated as Renu Sharma.

7. Learned counsel for the respondents submits that in case the petitioner files any representation along with data so as to prove that the petitioner has also withdrawn her claim for five marks under Socio economic criteria, in pursuance to the public notice issued by the department concerned, the said representation will be considered and decided by the competent authority in the light of the benefits extended to Renu Sharma and in case the petitioner is also found eligible for the grant of any benefit, an appropriate speaking order will be passed by the competent authority within a further period of **six weeks** from the date of receipt of any such claim received by the petitioner by way of representation.

8. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty to approach the respondents-department.

9. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

20.12.2023

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