

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

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**CWP No.4922 of 2024
Date of Decision : 20.3.2024**

*Sapna**..... Petitioner*

versus

*State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Ankur Sidhar, Advocate, for the petitioner

Mr. Parveen Mehta, DAG, Haryana

Mr. Akshay Kumar Dahiya, Advocate, for respondent no.3/
University

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to consider the petitioner's candidature as open/unreserved category candidate for the post of Staff Nurse in response to advertisement no.DMER/Rectt./04, dated 14.10.2021, Annexure P-1.

2. The petitioner applied for the post of Staff Nurse in response to the aforesaid advertisement. She cleared the written test and was called for verification of documents on 12.12.2022. However, as per provisional common merit list of candidates notified by the respondents on 20.2.2024, she was considered ineligible in the Economically Weaker Section (EWS) category since her certificate had expired.

2.1. In this background, the petitioner approached this Court seeking consideration of her candidature as open/unreserved category candidate on the ground, even if she is not to be accepted as EWS category

candidate for want of requisite certificate, she has a right to be considered as general category candidate to which she belongs. Vide interim order dated 4.3.2024, the University was directed to provisionally interview the petitioner/allow her to participate in counselling as a general category candidate. Pursuant thereto, she was called for counselling. As per result dated 9.3.2024 produced before this Court in a sealed cover, she has been selected for the post and allocated to BPS Government Medical College, Khanpur. The result of selection has been resealed and handed over to learned counsel for the University.

3. Learned counsel for the State as well as the University have no objection to the petitioner being given appointment on the post as a general category candidate for which she has been provisionally selected as per the result dated 9.3.2024.

4. In view thereof, the writ petition stands allowed directing the respondents to offer appointment to the petitioner as Staff Nurse on the basis of result dated 9.3.2024.

(TRIBHUVAN DAHIYA)
JUDGE

20.3.2024

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No