



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-15831-2022 (O&M)
Decided on :22.05.2024

POOJA

. .petitioner

Versus

HARYANA STAFF SELECTION COMMISSION

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. R. S. Dhull, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the prayer of the petitioner is that though in pursuance to the advertisement No. 15/2019 dated 09.10.2019 (Annexure P-1), the petitioner has applied for the post of Multi Purpose Health Worker (Female) under the reserved category of scheduled caste, but the claim of the petitioner has not been considered by the respondents, which action on the part of the respondents is totally arbitrary and illegal.

Learned counsel for the petitioner submits that by the same advertisement No. 15/2019 (Annexure P-1) in category No. 4, 565 posts of Multi Purpose Health Worker (Female) were advertised and in category No. 20, the same posts of Multi Purpose Health Worker (Female) which were 23, were advertised. Learned counsel for the petitioner submits that the petitioner applied for the post of Multi Purpose Health Worker (Female) under category No. 20 which is to be considered in the reserved category of Scheduled caste.

Learned counsel for the petitioner further submits that though there are total about 600 posts but, the claim of the petitioner has not been considered against the category No. 4 for which 565 posts were advertised thereby causing prejudice to the petitioner.



Upon notice of motion, the respondents have filed the reply wherein they have stated that the post of Multi Purpose Health Worker (Female) have been advertised under category No. 4 as well as category No. 20. Learned counsel for the respondents further submits that these posts have been advertised separately as they were available in two different departments i.e. health department and ESI department.

Learned counsel for the respondents submits that as the petitioner only applied for the post advertised in Category No. 20, her claim was considered under the category No. 20, but unfortunately, though she got equal number of marks as obtained by the candidate in the waiting list, but as the petitioner was younger in age, she could not be brought into waiting list hence, the petitioner could not be selected and appointed for the post in question.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the posts have been advertised under two separate categories, in case, the petitioner wanted to compete under the category No.4 of the advertisement No. 15/2019, she should have applied for the post of Multi Purpose Health Worker (Female) in the category No. 4 as well. It is a conceded fact that the petitioner only applied for the post of Multi Purpose Health Worker (Female) under the category No. 20 which posts are advertised for a particular department hence, cannot claim consideration for appointment against the post of Multi Purpose Health Worker (Female) advertised under category No. 4 which were available in a different departments as compared to the post advertised in category No. 20.

In the absence of any application of the petitioner for the



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consideration against 565 posts of Multi Purpose Health Worker (Female) as advertised under Category No. 4, the petitioner cannot raise a claim against the said posts.

The post advertised under the category No. 20 for which the petitioner has applied, the claim of the petitioner has been considered by the respondents and the petitioner could not get selected, the details/reasons of which has already been mentioned while noticing the argument of the learned State counsel herein above, hence, no grievance can be raised by the petitioner.

With regard to the fact that the result of the written examination for the post of Multi Purpose Health Worker (Female) was jointly declared, it may be noticed that the joint declaration of the result for the post in question will not give a right to the petitioner to claim for appointment on the post which she has never applied for. Once, the petitioner never applied for the post of Multi Purpose Health Worker (Female) under category No. 4 in pursuance to the advertisement No. 15/2019 she cannot raise any grievance that her claim for the post of Multi Purpose Health Worker (Female) under the category No. 4 in pursuance to the advertisement No. 15/2019 has not been considered by the respondents.

Keeping in view the above facts and circumstances recorded herein above, no ground is made out for any interference by this Court in the present petition, **hence, the present petition stands dismissed.**

Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

22.05.2024*Riya**Whether speaking/reasoned: Yes/No**Whether Reportable: Yes/No*



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