



CWP-19579 of 2024

1

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

114

CWP-19579 of 2024

Date of Decision:13.08.2024

Parmila Devi**....Petitioner****Versus****State of Haryana and others****.....Respondents****CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Ms. Sneha Jakhar, Advocate,
for the petitioner.

Mr. Harish Nain, AAG, Haryana

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of order dated 13.03.2023, Annexure P-7.

2. Learned counsel submits that the petitioner had applied for the post of Staff Nurse under DESM category pursuant to Advertisement No.2/2019 dated 07/08.03.2019, Annexure P-1, issued by Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak, last date for submission of application from being 15.05.2019. After a few months, another advertisement was issued by Haryana Staff Selection Commission for the same post vide Advertisement No.15/2019 dated 07.09.2019, the closing

**CWP-19579 of 2024****2**

date whereof was 09.10.2019. The first selection process regarding the former advertisement came to be culminated into her selection and appointment on 18.05.2021 whereupon she joined and thereafter the result of the latter advertisement was declared on 10.07.2022 wherein also she came to be selected and was issued the appointment letter on 10.07.2022, Annexure P-4. The petitioner was keen to join against the second advertisement there being better prospects therein, however the same has been declined vide order dated 13.03.2023 on the ground that she has already availed of the benefit of reservation under DESM category, thereby wrongly relying upon instructions dated 09.03.2022 however these were subsequently clarified on 13.04.2022, Annexure P-8. Taking the aforesaid instructions and clarification into notice, this Court in **Summy Sindhu and another versus State of Haryana and others**, CWP No.29432 of 2022, Annexure P-10, vide judgment dated 18.05.2024, had held the similarly situated petitioners entitled to appointment against the second advertisement qua which the petitioner had also become successful and they were also selected by Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak. She submits at this stage that the case of the petitioner be re-considered in light of the aforesaid decision which covers her case from all force.

3. Learned State counsel has no objection to the limited prayer made and submits that the respondents would not be averse to have a relook at the matter.



CWP-19579 of 2024 3

4. In view of the above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to the respondents to reconsider the case of the petitioner afresh in light of the afore-referred judgment as also the clarificatory instruction within a period of 3 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to her and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same shall contain reasons and the petitioner shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

August 13, 2024
dinesh

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