



CWP-21974-2024

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

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CWP-21974-2024

Date of Decision: 04.09.2024

KAVITA

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Manan Bhardwaj, Advocate
for the petitioner.

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed seeking a writ of *certiorari* quashing the speaking order dated 15.05.2023, Annexure P-1, whereby the petitioner's representation seeking appointment on the post of TGT English in EBPG category in response to advertisement 09/2015, dated 23.07.2015, has been rejected.

2. Learned counsel for the petitioner contends that the petitioner applied for the post in question by wrongly mentioning her category as General, since the form was filled through a cyber cafe and her certificate belonging to EBPG category could not be attached to the application form. In this regard, she made representations dated 29.09.2015 and 08.08.2022, Annexures P3 and P7, respectively, but to no effect. A writ petition, CWP-19047-2022, filed by her for the purpose, was disposed of by this Court vide order dated 29.08.2022, Annexure P-8, directing the respondents to decide her representation, dated 08.08.2022, by passing a speaking order within eight

weeks. The representation was finally decided vide order dated 15.05.2023, declining her prayer for consideration under EBPG category. He further contends that the respondents have been giving appointment to the candidates belonging to EBPG category even now, and her case should accordingly be considered.

3. As per facts on record, the post in question was advertised on 23.07.2015, and closing date for submission of online application forms was 21.09.2015. The petitioner applied for the post as a General category candidate and participated in the selection process on that basis. The final result was declared on 12.08.2022, but the petitioner could not be selected being lower in merit. She secured 114 marks, whereas the last selected candidate in the category secured 127, and the one in waiting list secured 125. Since the petitioner submitted the application form as a General category candidate and appeared in the selection process as such, at this stage when the final result of selection has been declared and appointments have also been made, her claim to be considered under the EBPG category on the basis of her certificate dated 20.08.2014, cannot be granted.

4. In view thereof, there is no merit in the petition and it stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

04.09.2024
Ad

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>