



CWP- 24435-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP- 24435-2024
Date of Decision: 26.11.2024

JEENA DEVI AND ANOTHER
..... PETITIONERS
VERSUS
STATE OF HARYANA AND ANOTHER
..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Dilpreet Singh Gandhi, Advocate
for the petitioners.
Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *certiorari* setting aside the final selection list, Annexure P-8, for the post of TGT (English), as the candidates who secured lesser marks than those of the petitioners have been selected ignoring the latter's claim, despite being meritorious.

2. Learned counsel for the petitioners contends that the petitioners applied to HKRNL (for short, 'the Nigam') pursuant to advertisement dated

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16.12.2023, Annexure P-3, for the posts of TGT (English) and TGT Social Studies. Since they did not receive any intimation regarding their selection/non-selection, petitioner no.1 applied to the Nigam under the Right to Information Act, 2005 (RTI Act), seeking a list of candidates selected for the post of TGT (English) and TGT (Sanskrit) with effect from 01.01.2022 to 20.03.2024, and posted in District Kaithal. In response thereto, selection lists, Annexures P-7 and P-8, were furnished by the Special Public Information Officer (for short, 'the SPIO') of the Nigam, Panchkula.

3. Learned State counsel, on instructions, contends that petitioner no.1 registered herself on the HKRNL Portal on 10.11.2023. She applied for the post of TGT English and her candidature was duly considered, but on account of being less meritorious she could not be selected. The cut-off marks for the deployed candidates in District Kaithal were 63.35, whereas petitioner no. 1 secured 33.15.

3.1. Similarly, petitioner no.2 applied for the post of TGT (English) and TGT (Social Studies) in District Charkhi Dadri. The cut-off marks for the candidates deployed in District Charkhi Dadri against the posts of TGT (English) were 74.1, and 52.2 against the post of TGT (Social Studies); whereas the petitioner secured 39.4 for the post of TGT (English) and 39.5 for the post of TGT (Social Science). This was the only reason she could not be deployed. It is further contended that the lists of candidates furnished to petitioner no. 1 under the RTI Act by the SPIO were not selection lists for the posts in question. The lists have been furnished to her by the Department by way of instructions, vide memo no. 7041 dated 21.11.2024, which are as



under:

1. Deployment cycle for District Kaithal for the subject of TGT (English)

First Name	Last Name	Designation	District	Total Marks
RAHUL	KUMAR	TGT English	Kaithal	73.7
RAJNI	DEVI	TGT English	Kaithal	73.6
SUMAN	BALA	TGT English	Kaithal	72.65
RAJ	KUMAR	TGT English	Kaithal	72.05
DEEPAK		TGT English	Kaithal	68.4
DEEPAK	KUMAR	TGT English	Kaithal	64.75
MANJEET		TGT English	Kaithal	64.55
PRIYANKA		TGT English	Kaithal	64.45
REENA	RANI	TGT English	Kaithal	64.15
RIMPI	CHOUDHARY	TGT English	Kaithal	63.5
KUSUM		TGT English	Kaithal	63.35

2. Deployment cycle for District Charkhi Dadri for the subject of TGT (Social Studies)

First Name	Last Name	Designation	District	Total Marks
SUNITA	KUMARI	TGT Social Studies	Charkhi Dadri	73.05
VANDANA		TGT Social Studies	Charkhi Dadri	72.35
MINTU		TGT Social Studies	Charkhi Dadri	69.25
NISHA	KUMARI	TGT Social Studies	Charkhi Dadri	68.6
Jagwanti		TGT Social Studies	Charkhi Dadri	67.4
KAVITA	DEVI	TGT Social Studies	Charkhi Dadri	62.85
JYOTI	KUMARI	TGT Social Studies	Charkhi Dadri	58.8
PREETI		TGT Social Studies	Charkhi Dadri	58.8
ANIL		TGT Social Studies	Charkhi Dadri	57.2
Sonu	Kumar	TGT Social Studies	Charkhi Dadri	56.8
ARTI	SHARMA	TGT Social Studies	Charkhi Dadri	56.75
POONAM	DEVI	TGT Social Studies	Charkhi Dadri	52.2

3. Deployment cycle for District Charkhi Dadri for the subject of TGT (English)

First Name	Last Name	Designation	District	Total Marks
LUXMI		TGT English	Charkhi Dadri	74.1



4. It is apparent that the petitioners' marks are far below those of the selected candidates in these two districts, and she could not be selected/deployed being less meritorious. Faced with this situation, learned counsel for the petitioners contends that the select lists cannot be relied upon as these are not the same as have been furnished to them under the RTI Act. The contention is without substance. Merely because the selection lists produced by learned State counsel are at variance with the lists furnished to the petitioners, that in itself cannot be a ground to disbelieve the same. The Department remains bound by the statement made by learned State counsel about authenticity of the lists. No illegality or irregularity could otherwise be pointed out about the lists, nor any *mala fide* has been alleged. Besides, as apparent from the response under the RTI Act, dated 03.06.2024, the petitioner has been furnished lists of candidates selected and posted at Kaithal from 01.01.2022 to 20.03.2024; these are not select lists of TGTs in the concerned subjects in Kaithal and Charkhi Dadri Districts which were prepared pursuant to the advertisement in question dated 16.12.2023.

5. In view thereof, there is no ground to entertain this petition, and it stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

26.11.2024
Seema

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No