



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.126

CWP-29071-2024 (O&M)
Date of Decision: 13.11.2024

Lalita

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. ADS Jattana, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

The grievance raised by the petitioner is that she has been offered appointment in Mewat cadre, ignoring her merit and preference for Rest of Haryana (ROH) cadre which is arbitrary and illegal.

2. The petitioner was an applicant for the post of TGT Sanskrit pursuant to advertisement 2 of 2023, Annexure P-1, under Scheduled Caste category for ROH. A common written test was conducted for both the cadres, Mewat as well as ROH. She was successful in the selection and, at the time of scrutiny of documents, was asked to give preference for the cadre she wished to be considered against for selection and appointment. She opted for ROH cadre as her preference. As per final selection result, she has secured more marks than those of the last selected candidate in ROH, still the appointment has been offered to her in Mewat cadre. The petitioner has filed a specific affidavit to the effect that while filling application form, as well as at the time of scrutiny of documents, she gave her preference only for ROH, and never opted for Mewat cadre.



3. Learned State counsel has produced the petitioner’s result as well as scrutiny form, a perusal whereof shows that she has secured more marks than those of the last selected candidate in her category, and has opted for ROH as her preference. In view of these undisputed facts, it appears that due to an error or mistake on the respondents’ part, the petitioner has been allocated Mewat cadre instead of ROH, which she is entitled to as per the preference given, as also on merit.

4. Accordingly, the petition stands disposed of with a direction to the Commission to correct the error/mistake, and recommend the petitioner for appointment as TGT Sanskrit in Rest of Haryana cadre under SC category as per merit. The second respondent shall, thereupon, offer appointment to the petitioner, subject to her fulfilling the requisite conditions, from the date other selected candidates pursuant to the selection in question have been appointed. The directions shall be carried out by the respondents within a period of four weeks of receiving a certified copy of the order.

(TRIBHUVAN DAHIYA)
JUDGE

13.11.2024
Maninder

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