



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

126

CWP-1952-2025

Date of Decision: 24.02.2025

Shaveta Kohli

.....Petitioner(s)

Versus

State of Haryana and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Jasbir Singh Mor, Advocate,
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

Mr. Balvinder Sangwan, Advocate,
for HPSC.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226 and 227 of the Constitution of India is seeking direction to respondent to quash the selection and appointment of respondent Nos.4 to 6 to the post of Senior Scientific Officer (Toxicology) in FSL, Madhuban, Karnal.

2. On 24.01.2025, the following order was passed:-

“Learned counsel for the petitioner inter alia contends that respondent No.3-Haryana Public Service Commission has selected private respondents in gross violation of essential qualifications prescribed in Advertisement No.4 of 2024. The selected candidates are not having three years’ research/analytical experience in the field of Forensic Toxicology. Para 3.11 of UGC Guidelines clearly provides that time taken by candidates to acquire M.Phil. or Ph.D. Degree shall not be considered as

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teaching/research experience for appointment to the teaching positions.

Mr. Raman Sharma, Additional Advocate General, Haryana and Mr. Balwinder Sangwan, Advocate for respondent No.3, who on advance notice are present in Court, seeks time to get instructions.

Adjourned to 24.02.2025.”

3. The respondent advertised three posts. The name of petitioner figured at Sr. No.6 in the merit list. There could be maximum two candidates in the waiting list, thus, waiting list cannot be made operational beyond two candidates. The petitioner is claiming that candidates at Sr. Nos.2 and 3 were not having requisite experience, thus, they were ineligible for the post.

4. Mr. Balvinder Sangwan, learned counsel for HPSC and Ms. Rajni Gupta, Addl. A.G., Haryana confirmed that candidates at Sr. Nos.2 and 3 did not join the post in question. Thus, candidates at Sr. Nos.4 and 5 would be invited. There is no dispute qua eligibility of candidate at Sr. No.4.

5. During the course of hearing, Mr. Sangwan produced documents relating to Priyanka i.e. candidate at Sr. No.5.

6. From the perusal of those documents, it cannot be concluded that she was not having experience in the field of Toxicology. The claim of petitioner would survive if candidates at Sr. Nos.4 and 5 do not join.

7. The petition, at this stage, is disposed of without commenting on merits because cause in favour of petitioner would arise if candidates at Sr. Nos.4 and 5 in the merit list do not join.

24.02.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
No