



CWP-18395-2021

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

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CWP-18395-2021 (O & M)
Date of decision: 28.01.2025

Asha Rani

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sukhdev Kamboj, Advocate, for the petitioner.
Mr. Swapan Shorey, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the action of the respondents in not considering the petitioner as eligible for appointment to the post of Punjabi Mistress.

2. The petitioner though had applied under B.C. Category for appointment to the aforesaid post, pursuant to the advertisement dated 09.09.2012, however, appeared in the Punjab State Teachers Eligibility Test (PSTET) in the general category, and as per the instructions dated 29.07.2011, 5% relaxation was to be granted for the reserved category candidates in the PSTET, which in similar set of circumstances was considered and allowed in **Shabir Khan and another vs. State of Punjab and another**, CWP-21387-2011, decided on 29.02.2012, and the said benefit was granted to other similarly situated in **State of Punjab and others vs. Sukhjeet Kaur**, LPA-146-2016, decided on 12.09.2018,



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in para 10 whereof, it has been noticed that the judgment in **Shabir Khan**(supra) had attained finality, having not been challenged by the State of Punjab. Further, similarly situated employee, namely, Sikander Ali, who though was initially not granted the benefit, as is apparent from the order dated 08.01.2019, Annexure P-15, on account of the fact that SLP was to be filed against the judgment in the case of **Sukhjeet Kaur**(supra), however subsequently, was granted appointment, vide letter dated 23.09.2020, Annexure P-16, extending the benefit of 5% relaxation in the said exam.

3. The aforesaid facts having been brought out, during the course of hearing, learned State counsel, on instructions, states that the respondents would not be averse to have a relook at the matter and decide afresh within a period of 03 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner.

4. The aforesaid satisfies the learned counsel for the petitioner.

5. The matter stands disposed of accordingly and if the petitioner is found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same may be passed after granting opportunity of hearing to her and shall contain reasons, whereupon she shall be free to seek legal redress thereupon.

28.01.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGEWhether speaking/reasoned : Yes / No
Whether reportable : Yes / No