



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

CWP-15993-2020

Date of Decision: 29.08.2025

Neetu Rani

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Mohan Singla, Advocate
for the petitioner.

Mr. Suneel Ranga, DAG, Haryana.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking direction to respondent to consider her as successful candidate and issue her appointment letter.
2. The petitioner pursuant to Advertisement dated 16.04.2018 applied for the post of Constable. She applied under BC(B) Category. In the original Advertisement, last date for filing application was 28.05.2018. The said date was extended up to 25.10.2018 by public notice dated 12.10.2018. The petitioner filed application in May' 2018, thus, she was not required to file fresh application. She, at the time of filing application, was Commerce graduate. She was pursuing her Masters Degree from Kurukshetra University, Kurukshetra. She appeared for second and fourth semester exam of M.Com in May' 2018. She cleared Physical/Screening Test and Written Test. She was not finally selected because she secured 54.6 Marks and last selected candidate

secured 56.6 Marks. As per Advertisement, a candidate is entitled to additional 03 Marks if he/she possesses Masters Degree. The petitioner was not possessing Masters Degree at the time of filing of application form, however, at the time of scrutiny of document, she was possessing Masters Degree. She was not awarded additional 03 Marks on the ground that at the time of filing of application form, she was not possessing Masters Degree.

3. Learned counsel for the petitioner submits that cut off date for filing application was extended and as per public notice, extended date was 25.10.2018. The petitioner filed application form in May' 2018. She also appeared for exams of M.Com in May' 2018. The University announced result of M.Com by 25.10.2018, however, marksheet was issued on 26.10.2018. She was entitled to additional marks as she was possessing Masters Degree by date of scrutiny of documents. The respondent has made a statement before this Court while adjudication of **CWP-3841-2019** to the effect that in case result of the candidate has been announced before the cut off date and DMC is produced at the time of scrutiny of documents, the marks would be awarded. The petitioner was possessing Masters Degree at the time of scrutiny of documents, thus, she was entitled to additional marks.

4. Per contra, Mr. Suneel Ranga, DAG, Haryana submits that as per Advertisement, the petitioner was supposed to upload documents for claiming additional marks. The Selection Board can consider only those documents which are uploaded along with application form. The petitioner even had not mentioned factum of pursuing M.Com in her application form, thus, she could not claim additional marks.

5. From the marksheet dated 26.10.2018. From the DMC, it could not be concluded that result was announced prior to cut off date for filing application form. The petitioner was not having concrete evidence except an information sought under RTI which was not clear and lucid, thus, vide order dated 04.07.2025, Registrar, Kurukshetra University, Kurukshetra was requested to clarify date of declaration of second and fourth semester exam of the petitioner for M.Com which was held in May' 2018.

6. Report from Kurukshetra University, Kurukshetra (for short 'University') is received. The same is taken on record.

7. The University, vide communication dated 24.07.2024, has intimated that petitioner's 4th Semester's result was declared on 14.08.2018 and 2nd Semester's result was declared on 26.10.2018.

8. Faced with this, learned counsel representing the petitioner submits that there was no lapse on the part of petitioner. She appeared in the 2nd and 4th Semester Exam in May' 2018. The University declared her 4th Semester's result on 14.08.2018 whereas 2nd Semester's result was declared on 26.10.2018. Exam of 2nd and 4th Semester was conducted at the same time. The University declared result of 4th Semester in August' 2018, thus, there was no occasion to declare result of 2nd Semester in October' 2018. The delay of two months' in declaration of result cannot be attributed to the petitioner.

9. As per stand of the respondent, the date of DMC is relevant for all intents and purposes. If DMC is beyond the cut off date, candidate is not entitled to marks. The contention of respondent cannot be countenanced because preparation of DMC after declaration of result is a

ministerial act, however, declaration of result is not a ministerial act. Status of a candidate changes as soon as result is declared. If she is declared ‘pass’, she is ‘pass’ for all intents and purposes.

10. From the report of University, it is evident that result of 2nd Semester was declared on 26.10.2018. As result of 2nd Semester was declared after cut off date i.e. 25.10.2018, it cannot be assumed that petitioner was having Master’s Degree by the cut off date.

11 In the wake of above discussion and findings, the instant petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

29.08.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No