

2024:PHHC:150820



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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-31048-2024
Date of Decision: 19.11.2024

Sonika

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Shubham Bhardwaj, Advocate and
Ms. Varda, Advocate for the petitioner.

Mr. Kanwal Goyal, Advocate,
Ms. Sheena Dahiya, Advocate and
Ms. Japanjot Kaur, Advocate
for respondent No.2-H.P.S.C.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Certiorari to set aside impugned letter dated 14.11.2024 (Annexure P-7) issued by the Secretary, Haryana Public Service Commission (respondent No.2 herein).

1.1 A further prayer has been made for issuance of a direction to respondent No.2 to consider the representation dated 11.11.2024 (Annexure P-6) submitted by the petitioner and further allow her to participate in the Interview/Viva-Voce, which is scheduled for 20.11.2024, for the post of Post Graduate Teacher (Political Science), in terms of Advertisement No.32 of 2024.

2. Succinctly, the petitioner applied for the post of Post Graduate Teacher (Political Science) in pursuance of Advertisement dated 23.07.2024. She was issued Roll No.8689 for appearing in the Recruitment Process,

comprising two stages; firstly, the Subject Knowledge Test and secondly, the Interview/Viva-Voce.

2.1 Apparently, the petitioner cleared the Subject Knowledge Test in terms of result dated 08.11.2024 (Annexure P-4).

2.2 At the end of said result (Annexure P-4), it was stated that the persons with Roll Numbers mentioned in the said result are being called provisionally for the Viva-voce, subject to the checking of their eligibility as per the Advertisement. It was further made clear that the Commission reserves its right to reject the candidature of any candidate at any stage.

3. It appears that petitioner has been served with letter dated 08.11.2024 (Annexure P-5) through e-mail, whereby she was informed that her candidature has been found provisionally liable for rejection due to the following reasons:-

(i) Petitioner did B.Ed. (Special Education) instead of B.Ed., which was essential qualification as per the advertisement.

(ii) Petitioner did not submit all the mark-sheets and degree of B.A., B.Ed. and M.A.

3.1 Vide the above referred letter (Annexure P-5), petitioner was directed to submit her representation (if any) against her proposed rejection along with documentary proofs, latest by 11:00 A.M. on 10.11.2024, *via* e-mail.

4. The petitioner is stated to have submitted her detailed representation dated 11.11.2024 (Annexure P-6).

4.1 It is the case of the petitioner that the Haryana Public Service Commission has rejected her candidature vide letter dated 14.11.2024 (Annexure P-7), without considering her representation (Annexure P-6).

5. In the aforementioned circumstances, petitioner has filed the

instant writ petition before this Court seeking relief(s), as noticed hereinabove.

6. Notice of motion.

7. At this stage, Mr. Kanwal Goyal, Advocate, who is present in Court, accepts notice on behalf of respondent No.2 and submits that respondent No.2 (Haryana Public Service Commission through its Secretary at Bays No.1-10, Block-B, Sector-4, Panchkula)/competent authority shall take decision either way, on representation dated 11.11.2024 (Annexure P-6) submitted by the petitioner within a period of six weeks from today.

8. Keeping in view the aforementioned facts and circumstances, since respondent No.2 has taken a stand to decide the representation dated 11.11.2024 (Annexure P-6), submitted by the petitioner, within a period of six weeks from today; it would be in the interest of justice to allow the petitioner to provisionally participate in the Interview/Viva-Voce, which is scheduled for 20.11.2024, for the post of Post Graduate Teacher (Political Science), in terms of Advertisement No.32 of 2024. However, the selection of petitioner shall be subject to the final decision on the representation (Annexure P-6) of the petitioner.

8.1 Further respondent No.2 shall be at liberty to declare the result of the post of Post Graduate Teacher (Political Science) in terms of Advertisement No.32 of 2024.

9. The present writ petition is disposed of in the aforestated terms.

10. All pending application(s), if any, shall also stand closed.

19.11.2024

Apurva

(HARSH BUNGER)

JUDGE

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|--------------------------------|--------|
| 1. Whether speaking/reasoned : | Yes/No |
| 2. Whether reportable : | Yes/No |