



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

212

CWP-11933-2022

Date of Decision: 20.02.2026

PRAGATI CHAUDHARY

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Sumit Sharma, Advocate (*through V.C.*)
for the petitioner

Mr. Akshit Pathania, Assistant Advocate General, 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 grant her marks under Category of Orphan.

2. The petitioner belongs to EWS Category. She pursuant to Advertisement No.4 dated 30.12.2020 applied for the post of Female Constable. In her application form, she categorically disclosed that she is an orphan. She was not awarded 05 marks under the Category of Orphan.

3. Learned counsel for the petitioner submits that at the time of scrutiny of documents petitioner submitted Orphan Certificate issued by Tehsildar. The petitioner lost her father on 26.04.2015 while she was 15 ½ years old. Her father was less than 42 years at the time of death, thus, she was entitled to weightage of 05 marks.

4. *Per contra*, learned State counsel, on instructions from Mr. Rupender, Law Officer, Office of Haryana Staff Selection Commission, submits that petitioner at the time of scrutiny submitted certificate issued

by Tehsildar, however, it was not in the prescribed form, thus, she was not awarded 05 marks. The socio-economic criteria has been declared invalid by Division Bench of this Court, thus, petitioner cannot claim 05 marks under said criteria. The State has filed review petition before Division Bench and if review petition of the State is allowed, the claim of petitioner may be considered.

5. The petitioner was indubitably orphan at the time of filing application. She filed certificate issued by Tehsildar at the time of scrutiny of documents. She cannot be denied benefit on the ground of non-filing of certificate in the prescribed form. Socio-economic criteria has been declared invalid by Division Bench of this Court, thus, this Court cannot direct respondent to grant 05 marks to petitioner under said criteria. The State has filed review petition which is still pending before Division Bench.

6. At this stage, this Court cannot direct respondent to grant 05 marks to petitioner, however, she may move an application if at any stage candidates who participated in the advertisement in question are declared eligible for weightage under socio-economic criteria.

7. Disposed of in above terms.

8. Pending application(s), if any, also stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

February 20, 2026
Deepak DPA

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