



201

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHLPA-1497-2024 (O&M)*Date of Decision: 9th April, 2026.**HARYANA STAFF SELECTION COMMISSION**.....Appellant(s)*V/s*MEENA AND ANOTHER**.....Respondent(s)*

CORAM: **HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA**
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present Mr. Saurabh Mohunta, DAG, Haryana,
for the appellant.

Mr. Amit Kumar Jain, Advocate, for respondent No.1.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This Appeal arises out of judgement dated 28.11.2023 passed by the learned Single Judge whereby Writ Petition bearing No. *CWP-30207-2018*, filed by respondent No.1/petitioner (Meena), was allowed.

2. The facts of the case are that the appellant-Commission, for the Department of Secondary Education, Haryana, advertised 6,874 posts of PGT (HES-II, Group-B Service) vide Advertisement No. 4 of 2015. Out of total posts, 367 posts were for PGT-Hindi (Rest of Haryana). Respondent No. 1, being eligible, applied for the post in Category 7 (General category). Her application was accepted, and she was permitted to appear for the written test, which she cleared. She subsequently passed document verification and thus, having cleared all previous stages of the recruitment, she was qualified for the interview scheduled on 06.09.2018. According to

respondent No.1, she missed the date of her interview despite due diligence, and when she later came to know of it, she approached the appellant-Commission for being permitted to appear in the interview. According to respondent No.1, she came to know about the schedule of interview only on 20.11.2018 whereas, the date fixed for her interview was 06.09.2018. It is in this context Writ Petition came to be filed by her in the year 2018.

3. During the pendency of the Writ Petition, respondent No.1 was provisionally interviewed pursuant to the interim order passed by the Court. Respondent No.1 scored 139 marks which were more than those of the last candidate in the category she applied for, i.e. 136 marks.

4. During the pendency of the said Writ Petition, an application was bearing No. CM-5678-CWP-2019, filed by respondent No.1/writ petitioner, stating that 18 seats were still to be filled by the appellant-Commission in which a notice was issued on 30.04.2019, inviting candidates for appearing in the interview. Respondent No.1/writ petitioner, however, was not extended such opportunity. It in this context learned Single Judge has observed that once interview was subsequently held by the appellant-Commission after respondent No.1/writ petitioner was interviewed under the interim orders of the Court, her candidature ought not to have been overlooked. It is for this reason that the Writ Petition filed by respondent No.1 has been allowed.

5. Learned State counsel argues that respondent No.1/writ petitioner having not cleared for interview on 06.09.2018, lost any right for consideration and the mere fact that subsequent interviews were held would not be any ground for her to be accorded consideration.

6. Be that as it may, the undisputed facts are that respondent No.1/writ petitioner, under the interim orders of the Court, has been interviewed and she has secured 139 marks which is more than the cut-off in her respective category. She was also provisionally interviewed on 07.12.2018 under the interim order of the Court.

7. It is undisputed that fresh interviews were held by the appellant-Commission on 19.04.2019. Admittedly, on the said date respondent No.1 was interviewed. It is thereafter that fresh notices were issued on 30.04.2019 inviting candidates for fresh interview against 18 posts.

8. In such circumstances, the view taken by the learned Single Judge, to direct consideration of the claim of respondent No.1/writ petitioner for appointment on the ground that she has secured marks above the cut-off, is not shown to be perverse or erroneous such that it may require interference of this Court in the present Appeal. Consequently, the appeal fails and is **dismissed**.

9. All pending applications, if any, in this case are dismissed of accordingly.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

April 9, 2026

Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>