



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

223

LPA No.2815 of 2025 (O&M)
DATE OF DECISION : 16th MARCH, 2026

Ritu Rani**.... Appellant****Versus****Haryana Staff Selection Commission, Panchkula & others****.... Respondents**

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

* * * *

Present : Mr. Jasbir Singh Mor, Advocate for the appellant.

Mr. Nitin Kaushal, Additional Advocate General, Haryana.

* * * *

ASHWANI KUMAR MISHRA, J. (Oral)

1. This appeal arises out of judgment of the learned Single Judge dated 07.08.2025 whereby the appellant's claim in respect of appointment to the post of PGT Mathematics has been rejected.

2. The facts have been noticed by the learned Single Judge, according to which advertisement No.4/2015 was issued, with last date for submission of application forms specified as 21.09.2015. This date was extended to 12.10.2015. The appellant applied for the post with requisite qualification, cleared the initial examination and was also called for interview. In the final result declared on 12.01.2019 the appellant was not selected. Modified result was issued on 05.09.2019 wherein also the appellant could not find place. Pursuant to the order passed by the Hon'ble Supreme Court in SLP Nos. 25184-25214 of 2018, a modified result was issued on 06.09.2022 also wherein the appellant was not successful. The appellant has been declared ineligible on the ground that



her M.Sc. certificate was issued to her after the cut-off date i.e. 12.10.2015. Representations accordingly were made, whereafter the writ petition was filed.

3. The contention advanced at the time of hearing has been noticed by learned Single Judge which is reproduced hereunder:

“3. In these circumstances, learned senior counsel for the petitioner contended that the petitioner’s candidature had been wrongly rejected by declaring her ineligible on the ground that M.Sc. certificate was issued after the cut-off date, i.e., 12.10.2015. In fact, she had qualified M.Sc. Mathematics in 2008 by securing more than fifty per cent marks which made her eligible for the post in question. She improved her marks in a couple of papers of the M.Sc. course between 2009 to 2015 and, resultantly, a consolidated detailed marks card (DMC) to that effect was issued to her on 24.12.2015. This certificate was wrongly considered by the Commission to decide her eligibility, which was to be determined on the basis of original DMCs of M.Sc. Mathematics (Previous and Final), dated 05.09.2007 and 27.09.2008, respectively. She has secured 116 marks as General category candidate against the cut-off marks, 115, and is more meritorious. She has been declared ineligible for no fault of hers, and has a right to be appointed against the post lying vacant.”

4. The learned Single Judge has non-suited the appellant by observing as under in para 6:

“6. The petitioner has approached this Court seeking consideration as a General category candidate for the post of



PGT Mathematics on the basis of M.Sc. Mathematics certificate issued prior to the cut-off date, i.e., 12.10.2015. However, there is no document or material on record establishing the fact that original DMCs were ever submitted to the Commission along with the application form, or produced at the time of scrutiny of documents. Besides, DMC dated 24.12.2015, stated to have been produced by the petitioner at the time of scrutiny, does not, in any manner, indicate that she had cleared M.Sc. (Final) on any date prior thereto. The only indication is that the earlier DMC had been cancelled due to revision of result on account of improvement of marks. Further, it stands established on record that none of the posts advertised pursuant to advertisement in question, 4/2015, is vacant as on date. As per the affidavit filed by the Director, which has not been controverted, there have been subsequent requisitions by the Department also for filling up vacant posts of PGT Mathematics resulting in issuance of advertisements, 29/2023 and 28/2024; against these posts also the selected candidates have been appointed. And in the absence of any post, the petitioner's candidature cannot be considered. Still further, none of the appointed candidates, who will be affected by the outcome of the petition, has been impleaded as a party respondent."

5. Learned counsel for the appellant submits that it was in the year 2023 that appellant was informed that she was declared ineligible due to her M.Sc. certificate being of a date after the cut-off date. It was



in this context that the writ petition was filed in the year 2023 and following interim protection was granted vide order dated 07.08.2023:

“In the meanwhile, one post of PGT Mathematics in General category shall be kept vacant during pendency of the petition.”

6. It is submitted that certain posts were kept reserved and in such circumstances the appellant ought to be considered for appointment against the posts in question. Learned counsel for the appellant submits that the appellant had passed the M.Sc. in 2007-2008 and the revised mark-sheet was issued to her in December 2015 only after she had upgraded marks and it was the upgraded marks which have been relied upon for appointment.

7. Learned counsel for the State on the other hand submits that after the advertisement in question, two subsequent recruitments have taken place and there is no vacancy available now against which appointment could be considered.

8. Learned counsel for the appellant opposed the submission made on behalf of the State relying upon the interim order passed by this court on 17.09.2025.

9. Heard learned counsel for the parties and perused the material on record.

10. It is undisputed that the last date for making of application was 12.10.2015. The eligibility of the candidate had thus to be decided with reference to such date i.e. 12.10.2015. The eligibility for appointment was the qualification of M.Sc. in Mathematics. The only result of M.Sc. relied upon by the appellant was issued in the month of



December, 2015 which was after the cut-off date. The respondents, therefore, cannot be said to have acted arbitrarily in not considering the claim of appellant by treating her to be ineligible.

11. Learned counsel for the appellant during the course of submission has invited our attention to the application filed by the appellant in which she has quoted her marks in M.Sc. Mathematics as 590/1000. These marks were scored by the appellant on account of upgradation of marks at a later point of time. Though it is stated that the appellant had scored 560 marks earlier but such mark-sheet was not relied upon in the application form to claim appointment. The marks claimed by the appellant were secured by her later and in respect of such marks the mark-sheet was issued for the first time after the cut-off date in December, 2015.

12. Though it was open for the appellant to have applied on the basis of her earlier mark-sheet which could have rendered her eligible but such is not the case, the appellant has relied upon marks which were secured by her later. Once that be so and it is undisputed that the subsequent improved marks were on the basis of the mark-sheet issued in December, 2015, no explanation can be taken if the appellant has been declared ineligible.

13. Even otherwise we find that subsequent advertisements have intervened and legal appointments have also been made by the department. In such circumstances with the passage of time and peculiar facts when the respondents cannot be said to have acted arbitrarily, no direction can be issued for appointment.



14. The appeal filed by the appellant consequently lacks merits

and is accordingly dismissed.
15. All the pending application(s), if any, shall stand disposed

of.

(ASHWANI KUMAR MISHRA)
JUDGE

16th March, 2026
'raj'

(ROHIT KAPOOR)
JUDGE

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