

(2011) 04 SHI CK 0280
In the High Court Of Himachal Pradesh
Case No : CWP T No. 3069 of 2008

Shakuntla Devi

APPELLANT

Vs

State of Himachal Pradesh and Others

RESPONDENT

Date of Decision : 01-04-2011

Acts Referred:

Citation : (2011) 04 SHI CK 0280

Hon'ble Judges : V.K. Sharma, J

Bench : Single Bench

Judgement

V.K. Sharma, J.—The petition has been filed on the following prayers vide paras 7(i) to (iii):

- (i) That selection and appointment of Respondent No. 6 as Primary Assistant Teacher in Government Primary School Sanani may kindly be quashed and set aside.
- (ii) That the impugned Annexure A-9 issued by Respondent No. 2 may kindly be quashed and set aside.
- (iii) That the Respondents may kindly be directed to redo the entire selection process and to produce the entire record pertaining to the selection process.

2. In reply, Respondents No. 1 to 5 have taken the following stand vide para 3:

That in reply to this para it is submitted that the representation of the applicant has rightly been decided by the replying Respondent in view of the comments submitted by the Block Elementary Education Officer Kangra now designated as Block Elementary Education Officer Kangra. However, it is submitted that as per information as well as the proforma of marks received from the Block Elementary Education Officer Kangra that the selection/appointment of the Respondent No. 6, as Primary Assistant Teacher for Govt. Primary School Sanani, has been made by the selection committee held under the Chairmanship of the S.D.O (Civil). As per the proforma of marks as supplied by Block Elementary Education Officer,

Kangra shows that the Respondent No. 6 has obtained 67.37 marks whereas the applicant has obtained 37.5 marks. The abstract of proforma of marks is reproduced as under: Applicant:

2 marks (actual %age) BA PG Professional Training Widow/Destitute women
Unemployment Personal Interview Total Remark

22.5 --- --- 5 ---- 10 5 37.5

Respondent No. 6.

+2 marks (actual %age) BA PG Professional Training Widow/Destitute women
Unemployment Personal Interview Total Remark

29.37 10 -5- 5 ---- 10 8 67.37 Selected

3. Reply on behalf of Respondent No. 6 is akin to that of the remaining Respondents.

4. In view of the above reply, in case the Petitioner still has any surviving grievance, she shall be free to make a representation along with copy of this judgment to Respondent No. 2 within one month from today, who shall consider the same and take a final decision in the matter within next two months in accordance with law by exploring the feasibility of adjusting the Petitioner against an existing vacancy of Primary Assistant Teacher in Tehsil Baroh, Distt. Kangra, if otherwise found to be eligible, after affording an opportunity of being heard to her, if so desired,

5. The petition, as also pending CMP(s), if any, stand disposed of.