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

CWP-15070-2025

Date of Decision: 23.05.2025

SONIA

..... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENTS

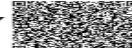
**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. Deepak Sonak, Advocate  
for the petitioner.

**TRIBHUVAN DAHIYA, J. (ORAL)**

The petition has been filed seeking a writ of *mandamus* directing the respondents to consider the petitioner's case for appointment under BCA category for the post of Primary Teacher (Mewat cadre) advertised vide advertisement 05/2024.

2. It is *inter alia* contended that while filling up her application form for the post, Annexure -P-2, the petitioner inadvertently mentioned her category as BC-B (Non-Creamy layer), though she belongs to BC-A category, and had also appended the requisite certificate to that effect, dated 16.08.2024, along with the application form. The Commission was required



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to consider her candidature under BC-A category on the basis of the documents attached which has not been done. At this stage, the petitioner will be satisfied in case she is permitted to make a fresh representation to the respondents raising the grievance as has been raised in this petition, and the same may be ordered to be decided within a specified period.

3. Notice of motion.

4. Mr. Harish Rathee, Senior Deputy Advocate General, Haryana, accepts notice on behalf of the respondents/State, and contends that a perusal of condition 4.2 of the advertisement shows that candidates are to be shortlisted on the basis of category filled in the online application form for which supporting documents are also required to be uploaded. However, unless there is a mismatch in the claimed category and uploaded documents, the candidates shall be considered under General/Parent category.

5. In the petitioner's case, there is clear mismatch of the category filled and the document/certificate uploaded; therefore, she could not have been considered in the manner it has been done. This Court is *prima facie* of the view that the category a candidate belongs to, is to be established on the basis of valid documents.

6. In this situation, Mr. Rathee submits that in case any fresh representation is filed by the petitioner within a period of one week from today, the matter will be reconsidered, and decided by the third respondent-Secretary of the Commission, by passing a speaking/reasoned order thereupon in accordance with law, within a period of six weeks of receiving the representation.

7. In view of the statement made, learned counsel for the



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petitioner has no objection to the petition being disposed of in terms thereof.

8. Ordered accordingly.

9. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹50,000 to the petitioner.

23.05.2025

Seema

**(TRIBHUVAN DAHIYA)**  
**JUDGE**

*Whether speaking/reasoned*      *Yes/No*

*Whether reportable*              *Yes/No*