IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

211

CWP-15302-2016 (O&M)
Date of decision: 08.07.2026

Neelam

....Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

*****

Present : Dr. Suresh Kumar Redhu, Advocate for the petitioner

Mr. Naveen Kumar, Addl. AG, Haryana

*****

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the impugned letter dated 19.05.2016, Annexure P-11, vide which the claim of the petitioner for approving her in Executive Clerical Cadre (English Branch) from 21.07.2014, despite having qualified stenography in English, has been rejected.

2. Learned counsel for the petitioner submits that at the time of conducting of the type test for the purpose of absorption of Executive Clerical Cadre, there were no instructions in that regard but for 29.05.1976, as per which, only preference was to be given to typing knowledge constables over a candidate and the same was mentioned in the minutes of meeting dated 30.01.1977, Annexure P-3.

3. Learned State counsel on the other hand states that there were instructions issued on 12.11.2011, specifically requiring a type test to be cleared by all, who were desirous of absorption. Accordingly, a written/type test was conducted in 2014, 2015 and 2016, wherein the petitioner duly participated, however, was unable to qualify the same, for which categoric reference is made

to preliminary submissions, wherein it is mentioned that 1st time, she secured (-13) marks, thereafter 10.3 and in the 3rd chance, she got 5.9 out of minimum of 30, all of which were held under the chairmanship of the senior officers of the Department.

4. Heard.

5. In this day and age of computerization the petitioner should have been more than willing to acquire and hone that skill and be abreast with technology, so as to serve the public better. Even if some employees were granted an exemption that cannot enure to the others, the same being impermissible, is unenforceable. The concept of equality enshrined in Article 14 of the Constitution of India does not envisage negative equalities as were the observations of Hon'ble the Supreme Court in **Kulwinder Pal Singh vs. State of Punjab**, (2016) 6 SCC 532.

6. Considering the aforesaid, by no stretch, can it be accepted that petitioner was not required to pass even the type test and his effort to hide behind or take shelter of technicalities or seek parity, which also though in the present case, there being none, speaks volumes.

7. As a sequel to the above, the writ petition stands dismissed, being devoid of merits.

(AMAN CHAUDHARY)
JUDGE

08.07.2026
M.Kamra

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No