

Sr.No.239-IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH
CWP-19194-2014(O&M)
Decided on: **19.11.2015**

Ved Parkash SihagPetitioner

vs.

State of Haryana and othersRespondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr.Ashwani Kumar Bura, Advocate for the petitioner.
Mr.Ashok S. Chaudhary, Addl. A.G. Haryana.

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Mahesh Grover, J

The petitioner is aggrieved of the condition which mandates that any Guest Faculty Member who does not deliver 40% result of the students in any subject in the test of State Board of Technical Examination would not be engaged as a Guest Faculty .

The respondents have filed a reply showing that the result of the students which was entrusted to the petitioner showed a deficient result some as low as 2.0% for a particular period and therefore, declined to re-engage him.

Learned counsel for the petitioner contends that this condition has been held against him for all times and therefore, he has not been granted consideration even though he has applied against the fresh advertisement. This is his specific case that as far as the advertisement is concerned he is qualified and therefore, his candidature cannot be excluded so as to deny him consideration altogether.

I am in agreement with what the petitioner states.

The respondents are very well within their rights to reject the claim but if the advertisement prescribed only the educational qualification and if the petitioner possesses the same they cannot deny consideration to his candidature.

Consequently, the writ petition is disposed of and the respondents are directed to consider the case of the petitioner for employment as a Guest Faculty Member in accordance with law. Consideration, however, will not confer any absolute right of employment to the petitioner.

19.11.2015

(MAHESH GROVER)

JUDGE