

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 9722 of 2011

DATE OF DECISION : July 30, 2015

Suman Deep Kaur

..... PETITIONER(S)

VERSUS

The State of Punjab & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Pawan Kumar, Advocate, for the petitioner.
Mr. Nilesh Bhardwaj, Deputy Advocate General,
Punjab.

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1. Whether Reporters of local newspapers may be allowed to see the judgment? YES/NO

2. To be referred to the Reporter or not? YES/NO

3. Whether the judgment should be reported in the digest? YES/NO

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ARUN PALLI, J. (Oral)

Pursuant to an advertisement dated 23.09.2009 (Annexure P-7), the Department of School Education, Punjab, invited applications for various posts, including 40 posts of Lecturer in Political Science, to be filled on contractual basis.

Petitioner competed for selection against the post of a Lecturer in

Political Science. She obtained 61.7250 marks, as per the merit list (Annexure P-8). However, the precise grievance being made out in the petition is that in the final merit list issued in March, 2011, the name of the petitioner was not reflected, though a candidate lower in merit i.e. Sandeep Kaur (respondent No.4), who had obtained 61.5833 marks, was selected.

In the written statement filed on behalf of respondents No.1 and 2, it is clarified that as per the report dated 24.12.2012 submitted by the Chairman, Departmental Selection Committee (Teaching), petitioner failed to participate in the counselling for scrutiny of her original documents at an appropriate time and place, despite the fact that the process was carried out from time to time to fill up the posts. Further, the scrutiny of original documents of all the candidates was done by the Chairman, Departmental Selection Committee (Teaching), to determine the merit as also the eligibility. In fact, the Departmental Selection Committee was comprised of the representatives from various other departments; such as Social Welfare Department, Sainik Welfare Department and Sports Department of Punjab. Therefore, the claim of the petitioner could not be determined as she did not choose to participate and attend the counselling.

Learned State counsel has produced a copy of the letter issued by the Centre for Development of Advanced Computing dated 06.04.2015, addressed to Deputy Director (School Administration) Recruitment Cell, and along therewith a photostat copy of the attendance sheet (retained on record) as

regards the candidates who participated in the counselling for the post of Lecturer in Political Science, pursuant to an advertisement dated 23.09.2009. A bare reading of the attendance sheet, appended with the said letter, reveals that the petitioner did not appear for counselling at the designated place and time. The position set out in the written statement filed by the State has neither been controverted by filing any counter affidavit nor during the course of hearing of the petition by the learned counsel for the petitioner.

In the wake of the position as set out above, no interference is warranted under Article 226 of the Constitution. The petition, being devoid of merit, is hereby dismissed.

JULY 30, 2015
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(ARUN PALLI)
JUDGE