

LPA No. 1515 of 2014

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

LPA No. 1515 of 2014(O&M)
Date of decision: March 26, 2015

Ram Mehar Appellant

Versus

State of Haryana and ors. Respondents

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**CORAM:HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR.JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Johan Kumar, Advocate
for the appellant.

Mr. Lokesh Sinhal, Addl. A.G., Haryana

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SATISH KUMAR MITTAL, J.(Oral)

CM No.3309-LPA of 2014

This is an application under Section 5 of the Limitation Act for condonation of delay of 153 days in filing the appeal.

Reply to the application has been filed on behalf of respondent No.2. The same is taken on record.

For the reasons mentioned in the application, which is duly supported by an affidavit, delay of 153 days in filing the appeal, is condoned.

Application stands disposed of.

LPA No. 1515 of 2014

This Intra Court Appeal under Clause X of the Letters Patent has been filed against the order dated 24.02.2014 passed by learned Single Judge whereby CWP No. 19798 of 2012 filed by the

appellant challenging the order dated 06.09.2012 passed by the Haryana School Teachers Selection Board-respondent No.2 rejecting his claim for appointment to the post of Post-Graduate Teacher Mathematics in pursuance to the advertisement No.1/2012 dated 07.06.2012 (Annexure P-1), has been dismissed while observing as under:-

“A perusal of the above leaves no manner of doubt that a candidate is entitled to one time exemption certificate for HTET/STET if a certificate is issued by the Head of the Institute and the same is duly verified by the District Education Officer and countersigned by the Director, Secondary Education of the concerned State. Since the institution from which the petitioner is having experience certificate is situated in District Karnal and in State of Haryana, the same was required to be verified by the District Education Officer, Karnal and countersigned by the Director of Secondary Education, Haryana. Even If the certificate is duly verified and countersigned by the Secretary, Secondary Education Officer, Central Board of School Education, Regional Officer Panchkula, the same would not fulfill the requirement of the advertisement. The rejection of the candidature of the petitioner, therefore, being in accordance with the advertisement, cannot be said to be illegal which would call for interference by this Court.

In view of the above, the present writ petition stands dismissed.”

We have heard the arguments advanced by learned counsel for the parties and have gone through the impugned order.

It has not been disputed before us that as per the advertisement dated 07.06.2012, copy of which has been annexed as Annexure P-1 with the writ petition, only candidate possessing M.A. Mathematics/M. Sc. Mathematics/Applied Mathematics with Mathematics as one of the subject at Graduation level with at least 50% marks and B.Ed. from recognized university was eligible for the

post of PGT Mathematics. It was also necessary that the candidate should have passed the School Teachers Eligibility Test (in short STET) conducted by the State Government. But as per Note 2 a one time exemption of passing HTET/STET was granted to the candidates who had worked for a minimum period of 4 years till 11.04.2012 in privately managed Govt. Aided Schools, recognized schools and Govt. School. As per note 3 of the said advertisement, the experience certificate was required to be got verified from District Education Officer and countersigned by Director of Secondary Education of the concerned State.

In the instant case, on the date of filing the application, the appellant though possessed the essential educational qualification but he did not fulfil the condition of passing the STET test being conducted by the State. However, he claimed one time exemption for the said test on the ground that he has four years experience of teaching in the school of Haryana State on the post of Mathematics. In this regard, he annexed four years' experience certificate of Cambridge Public School, situated at Assandh, District Karnal where he alleged to have worked from 01.04.2008 till the date of issuance of the certificate dated 12.06.2012. Undisputedly, the said certificate was countersigned only by the Section Officer of Central Board of School Education at Panchkula.

It is admitted position that neither the said certificate of the appellant was verified by the District Education Officer, Karnal nor it was countersigned by the Director Secondary Education,

Haryana, Panchkula, which was the requirement for the post of Post Graduate Teacher Mathematics in the advertisement. The appellant was rightly rejected on the ground that he did not possess the certificate of STET at the time of filing the application.

A contention has been raised by learned counsel for the appellant that the experience certificate of the appellant, duly verified by the Central Board of School Education, Regional Officer, Panchkula is also sufficient. In our opinion, it cannot be held sufficient as it does not fulfill the requirement of the advertisement.

Learned Single Judge has already considered this aspect of the matter and has rightly come to the conclusion that the appellant was not having the requisite qualification for the appointment to the post of PGT, Mathematics. Thus, we are not inclined to interfere with the impugned order passed by the learned Single Judge.

No merit.

Dismissed.

**(SATISH KUMAR MITTAL)
JUDGE**

**(HARINDER SINGH SIDHU)
JUDGE**

26.03.2015
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