

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision: 13.6.2016

(1) CWP No. 942 of 1997

Veena Rani and another

.....Petitioners

Vs

State of Punjab and ors

.....Respondents

(2) CWP No. 3511 of 1997

Sukhminder Kaur and another

.....Petitioners

Vs

State of Punjab and ors

.....Respondents

CORAM: - HON'BLE MS. JUSTICE RITU BAHRI

Present: - Mr. H.C. Arora, Advocate for the petitioners.

Mr. Avinit Awasthi, AAG, Punjab

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RITU BAHRI, J (Oral)

This order shall dispose of the above-said two writ petitions bearing No. CWP No. 942 of 1997 and CWP No. 3511 of 1997. For brevity, facts are being taken from CWP No. 942 of 1997.

Petitioners by way of present writ petition seeks a writ in the nature of certiorari to quash Rule 3 of the Punjab State Education Class-III (School Cadre) Service Rules, 1978 and Note No. 3 contained in the Advertisement (Annexure P-1) provided for preparation of separate merit list for male and female candidates and also for dividing the posts of various categories of Teachers equally among male and female candidates.

Respondent No. 2 issued an advertisement dated 12.1.1996 (Annexure P-1), inviting applications from the eligible candidates for appointment to various categories of posts. Petitioners being eligible participated in the said selection process in which result was declared on 30.12.1996 (Annexure P-7).

The grievance of the petitioners in the present petition is that as per Note-3 contained in the advertisement (Annexure P-1), a condition was made that the merit list for all the categories shall be maintained separately for male and female.

Respondent in the written statement has referred to a judgment of this Court in CWP No. 18331 of 1994, Major Singh and others vs. The State of Punjab and others, in which a bunch of writ petitions, challenging the above said notification (Annexure P-1) has been challenged. The said petition was dismissed on 28.3.1995 upholding the instructions issued by the Government for reservation of seats of each category in equal ratio i.e. 50:50. There is no dispute between the parties that the said judgment has attained finality.

Moreover, the petitioners having participated in the said selection process cannot challenge the same by way of present writ petition.

Both petitions are dismissed accordingly.

(RITU BAHRI)
JUDGE

13.6.2016
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