

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.13603 of 2012
Decided on : 18.01.2016**

Harinder Kaur

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.Amit Chopra, Advocate, for the petitioner.

Mr.L.S.Virk, Addl.A.G., Punjab.

G.S. Sandhawalia , J. (Oral)

The petitioner, who is a Backward Class Category candidate, challenges the order dated 26.03.2012 (Annexure P9), whereby her case for consideration for appointment to the post of Chemistry Lecturer, was rejected.

The same was done on 2 accounts, namely, that the last date of application was 09.10.2009, in pursuance of the advertisement dated 23.09.2009. The BC certificate had to be of a period within one year from the last date of submission of application. In the case of the petitioner, the certificate was dated 27.03.2008 (Annexure P5) and therefore, was validly not taken into consideration. Thus, the petitioner, on this account, cannot object to the reasoning given, which is justified on behalf of the respondents, that there has to be a cut off date and applications

have to be in consonance, as per the necessary requirements as on the last date.

Even otherwise, the petitioner, for being within the zone of consideration in the said category, would have to fall back on the experience gained after the obtaining of the essential qualifications of MA/B.Ed. Admittedly, the petitioner acquired the experience prior to passing the B.Ed. Examination. Thus, the experience certificate cannot be taken into account and if the same is not taken into account, the petitioner does not make the cut.

In CWP-8494-2011 titled *Yamini Vs. State of Punjab & others*, decided on 05.02.2013, the issue of acquiring the basic qualifications was decided and it was held that the said experience which was acquired prior to the acquisition of the qualifications, cannot be taken into consideration. In such circumstances, no relief can be granted to the petitioner.

Accordingly, the present writ petition stands dismissed.

JANUARY 18, 2016
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(G.S. SANDHAWALIA)
JUDGE