

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

Civil Writ Petition No.13884 of 2016

Date of Decision: 06.09.2016

Pooja Devi

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Tejinder Pal Singh, Advocate for the petitioner.

Mz. Sudeepti Sharma, Deputy Advocate General, Punjab
for the respondents/State assisted by Sh. Inderjit Singh,
Deputy Director, Education Recruitment Directorate.

JASWANT SINGH, J. (Oral)

The petitioner possesses the qualifications of 10+2, two year course of E.T.T. and has also passed the statutory Punjab State Teacher Eligibility Test-I (PSTET-I) for appointment to the post of ETT Teacher. She was born in a Backward Class family in Haryana and possesses the Backward Class Certificate, issued by Haryana. She has married in a Backward Class family in the Punjab and has also been issued a Backward Class Certificate for Punjab (**Annexure P-5**). She was an aspirant for appointment to the post of ETT Teacher, advertised in the Backward Class Category, vide Advertisement dated 09.11.2015 (**Annexure P-1**), measuring total posts of 3522, which by issue of Corrigendum increased to 4500. The merit has to be determined on the basis of the mark in the PSTET-I. The petitioner has concededly secured 86 marks.

The grievance of the petitioner is that she is not being considered under the Backward Class category, as revealed at the stage of Counseling i.e. scrutiny of documents because of being a migrant Backward Class.

Learned State Counsel was directed to verify the facts regarding the eligibility of the petitioner as a Backward Class category of Punjab and also her merit position.

At the time of hearing today, learned State Counsel, on instructions from Sh. Inderjit Singh, Deputy Director, Education Recruitment Directorate, submits that as per the Policy existing in the State of Punjab, the candidates in the B.C./S.C. category are considered eligible provided that the father of the candidate is a recognized Backward Class of the State of Punjab. The Backward Class Certificate issued for Punjab is invalid. She further states that as per the selection list finalized, the last candidate-Kulwant Kaur selected for appointment in the Backward Class Category has obtained 88 marks, and assuming for the sake of arguments that the petitioner is eligible to be in the Backward Class category, she would not make the cut of merit position in that category.

In view of the stand of the State of cut of merit being 88 marks, learned Counsel for the petitioner does not press this petition at this stage.

Dismissed as not pressed.

September 06, 2016

Gagan

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No