

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

CWP No.14099 of 2016

Date of Decision: 05.08.2016

Sukhan Deep Kaur

....Petitioner

Versus

State of Punjab and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Vivek Sharma, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

The grievance of the petitioner, in the present petition, is that for the first time, an advertisement was issued in the month of October, 2012 for 100 posts of Art and Craft Teacher. It was mentioned in the said advertisement that candidates falling between the age group of 18 years to 38 years as on 01.01.2012 are eligible to apply for the same.

The petitioner was possessing the requisite qualifications and was in the age group prescribed for the said post. He applied for the aforesaid post as he was 18 years on the date of submission of the application but due to cut off date, he was three months short of 18 years as on 01.01.2012. The respondent issued the second advertisement again in the month of October, 2014 and the applications in pursuance thereto were invited by 03.11.2014. As per said advertisement, the cut off date of age was to be taken into consideration as on 01.01.2012.

Learned counsel submits that the cut off date as on 01.01.2012 should not have been the criteria, whereas, it should have been 01.01.2014 and as such, the cut off date in the eligibility conditions is arbitrary, discriminatory and just to deprive the rights of the petitioner to be considered in the selection. It is further argued by learned counsel that normally, 1st January of every year is considered to be the cut off date when a post is advertised but the same has not been done in the case in hand. Learned counsel also submits that it was for the betterment of the respondents to have so many options as many candidates were there who have applied in view of advertisement published in the year, 2012.

Heard the arguments of learned counsel for the petitioner and have also perused the documents available on the file.

Admittedly, the selection has taken place and the petitioner is challenging the advertisement published in the year, 2014. There is no ground in the petition or in the arguments of learned counsel for the petitioner that the selection is bad. Only the condition in the advertisement has been challenged which is of the year, 2014. The petitioner should have challenged the condition in the year, 2014, when it was advertised. The whole of the selection, which has been made, cannot be interfered at this stage.

The petition is accordingly dismissed.

(DAYA CHAUDHARY)
JUDGE

05.08.2016
gurpreet

Whether speaking/reasoned

Yes

Whether Reportable

Yes