

235-A

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

**Civil Writ Petition No. 535 of 2014 (O&M)
Date of Decision: 10.11.2016**

Amrit Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. S.K. Arora, Advocate
for the petitioner.

Mr. Inder Pal Goyat, Additional Advocate General, Punjab
for the respondents/State.

JASWANT SINGH, J. (ORAL)

Petitioner-Amrit Kaur was an aspirant for appointment as Rural Associate Teacher (Mistress Cadre) against 443 posts advertised in the subject of Punjabi vide advertisement dated 09.07.2012 **(Annexure P-8)**. The petitioner, concededly, fulfilled the requirement of essential qualification and also has passed the mandatory Teachers Eligibility Test (TET) by securing 85 marks out of 150 being the candidate of Scheduled Caste.

The petitioner claims to belong the candidate of Scheduled Caste and also Freedom Fighter Category.

Concededly, she applied seeking consideration against the post reserved for the Freedom Fighter Category only vide application form **(Annexure P-9)** alongwith payment of ₹ 200/- (Two Hundred only) as processing/required fee. The petitioner has been declared ineligible as she

did not possess the minimum stipulated 90 marks out of 150 in the Punjab

State Teachers Eligibility Test (PSTET), and had also not deposited the required fee of ₹ 300/- (Three Hundred only).

After hearing learned counsel for the parties and perusing the reply, it is apparent that no case for interference is made out.

It is a matter of record that as per Clause-13 of the General Conditions of the advertisement dated 09.07.2012 **(P-8)**, candidates were required to submit separate application forms for separate categories accompanied by separate drafts towards fee. It emerges from the same that the petitioner, for consideration in the Category of Freedom Fighter and Scheduled Caste, was required to fill up two separate application forms with payment of ₹ 300/- (Three Hundred only) and ₹ 200/- (Two Hundred only), respectively, towards processing fee. It is an admitted case that the petitioner had applied only in the Freedom Fighter Category, and also not paid required stipulated fee of ₹ 300/- (Three Hundred only). That apart, it is also conceded that the PSTET certificate obtained by the petitioner with 85 marks as having been declared pass relates to her in the Category of '*Scheduled Caste*' and not for General or Freedom Fighter Category, for which the minimum pass marks are 90 out of 150, therefore, the action of the respondents in declaring the petitioner as ineligible cannot be faulted.

In view of above, no case for interference is made out, accordingly, the present petition stands dismissed.

November 10, 2016

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**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes
Whether Reportable	No