

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

CWP No. 45 of 2016

Date of decision: 07.01.2016

Jasmeet Kaur

....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

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

Present: Mr. Veneet Sharma, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks the relaxation of the age on the plea that she is working with the Rastriya Madhmik Shiksha Abhiyan Authority, Punjab and, therefore, as per Clause 5(iii) of the advertisement dated 20.11.2015 (Annexure P-5), the upper age limit of employees of Punjab and other States and Central Government is 45 years. It is submitted that the petitioner's application is not being considered on account of the fact that she is above 37 years, which is the upper age limit and in her case, on account of her being around 43 years, her employment with the said authority is being discounted and, therefore, she should be entitled for the benefit of Clause 5(iii).

The argument raised by the petitioner though merits consideration but an insurmountable hurdle lies in the face of the petitioner. In the advertisement, the cut off date was 12.12.2015. The petitioner alleges that she is duly eligible having passed her Punjab State Teachers Eligibility Test in the year 2013 (Annexure P-3). If that was so, the

petitioner had to apply within the prescribed period, which is of the cut off date which is sacrosanct date and cannot be altered. Reliance has been placed upon the public notice (Annexure P-6) whereby, the cut off date has been extended till 09.01.2016.

However, the said argument is without any basis. The public notice corrigendum has been issued in pursuance of the interim orders passed by this Court on 12.12.2015 in CWP No. 25249 of 2015 titled as Mandeep Kaur and another vs. State of Punjab and others. The reasons have already been given in the said order. The purpose was to give benefit to the persons who would sit in the PSTET test which was to be held a day later after the cut off date on 13.12.2015. The petitioner being fully eligible before the cut off date had already failed to apply and missed the bus by that date. It is only on the basis of the interim order passed in CWP No. 25249 of 2015 that she is claiming such a right. The last date is a sacrosanct date and cannot be altered as per settled principle as it would amount to opening of flood gates of unnecessary litigation if benefit is given even to one aspirant. The petitioner having missed the date cannot now claim the benefit which was given to a certain set of categories. The date has been extended under the interim orders of this Court passed in CWP No. 25249 of 2015. Thus no benefit can be granted to the petitioner for consideration on account of her own lapse.

Accordingly, there is no merit in the present writ petition and the same is dismissed in limine.

07.01.2016
shivani

(G.S. SANDHAWALIA)
JUDGE