

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.101

LPA-1796-2015

Decided on : 1st February, 2016

Anil Kumar

.... Appellant

VERSUS

State of Haryana & ors.

..... Respondents

CORAM: **HON'BLE MR. JUSTICE RAJIVE BHALLA**
HON'BLE MS. JUSTICE LISA GILL

Present: **Mr. U.K. Agnihotri, Advocate**
for the appellant.

RAJIVE BHALLA, J. (Oral)

CM-3863-LPA-2015

Prayer in this application is to condone delay of 89 days in filing the appeal.

Heard.

In view of averments in the application and arguments addressed, the application is allowed and delay of 89 days in filing the appeal is condoned.

LPA-1796-2015

The appellant challenges, order dated 03.08.2015, dismissing his writ petition and order dated 25.06.2015, whereby his prayer for appointment as a Science Master (Guest Faculty), was rejected.

Counsel for the appellant submits that though the appellant does not fulfil the subject combination prescribed by the rules but as the

respondents have appointed a teacher, with the same subject combination as a Science Master(Guest Faculty), the state cannot differentiate between two similarly situated teachers.

We have heard counsel for the appellant and in the absence of any error in the impugned orders or any legal right, as per the rules, the appellant cannot be appointed as a guest faculty science teacher. Admittedly the appellant does not fulfil the criteria set out in the rules namely does not possess the combination of subjects i.e. Physics, Chemistry, Botany, Zoology and Mathematics. The fact that the respondents may have appointed a similarly situated teacher, cannot enure to the appellant's benefit as the said appointment is contrary to the rules.

Consequently, finding no merit, the appeal is dismissed.

(RAJIVE BHALLA)
JUDGE

1st February 2016
 jyoti III

(LISA GILL)
JUDGE