

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.597 of 2016 (O&M)

Date of Decision: August 08, 2016

Simarjeet Kaur

.....Appellant

versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.  
HON'BLE MR.JUSTICE GURMIT RAM.**

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Present: Mr.Anoop Singla, Advocate, for the appellant.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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**Surya Kant, J.** (Oral)

This intra-Court appeal assails the order dated 05.12.2015 whereby learned Single Judge has declined to interfere with the order rejecting the appellant's claim for appointment to the post of Art and Craft Teacher.

The facts, as such, are not in dispute. The appellant, on the basis of her 50.79 marks, figured in the merit list and was called for counseling and interview on 09.07.2011. She did not appear. She also did not seek any re-scheduling and obviously no intimation was sent to the Interview Board for her non-appearance.

After almost one year, she represented on 23.05.2012 stating that she could not appear in the interview as she was in 'family way' and there were other compelling circumstances also. That representation having

been declined, she approached this Court but learned Single Judge has also refused to interfere with the decision of the authority.

Though there is a delay of 86 days in filing the accompanying appeal but we have heard learned counsel for the appellant on merits who reiterated that non-appearance of the appellant was for *bonafide* reason beyond her control.

Having given our thoughtful consideration, it appears that even if there existed a valid reason for non-appearance of the appellant, she ought to have requested the authorities to re-schedule her interview. She did not send any such intimation and the first representation made by her was after almost one year. It does suggest that initially the appellant was not keen to join the post but later on she changed her mind.

No case to interfere with the order under appeal is made out.  
Dismissed.

[SURYA KANT]  
JUDGE

August 08, 2016  
*mohinder*

[GURMIT RAM]  
JUDGE

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether Reportable        | : | Yes/No |

CM No.1260 of 2016 in  
LPA No.597 of 2016

Simarjeet Kaur      - - -      versus      State of Punjab and another  
                                     - - -

Present : Mr.Anoop Singla, Advocate,  
             for the applicant-appellant.

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For the reasons mentioned in the application, the same is  
allowed subject to all just exceptions and 86 days' delay in filing the appeal  
is condoned.

CM stands disposed of.

**(SURYA KANT)**  
**JUDGE**

**August 08, 2016**  
*mohinder*

**(GURMIT RAM)**  
**JUDGE**