

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

CWP No. 14216 of 2014 (O&M)

Date of Decision: 09.03.2017

Nirmal and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. R.C. Sharma, Advocate
for the petitioners.

Mr. Harkesh Manuja, Additional Advocate General, Punjab
for the respondents/State.

JASWANT SINGH, J. (ORAL)

Five petitioners, namely, Nirmal, Rupinder Kaur, Harpreet Kaur, Sumesh Rani and Gurmeet Kaur, possessing the qualifications of Certificate of Physical Education (C.P.Ed), were engaged as Education Service Providers (PTI) by the School Education Department, Punjab on contract basis in for consolidated salary of Rs. 5000/- per month in the year 2009. Their services were regularized w.e.f. April/July 2011. The process of selection pursuant to the advertisement dated 13/14.04.2008 (**Annexure P-1**) wherein the petitioners were selected as Education Service Providers was revisited, leading to issuance of public notices dated 04.03.2014 and 15.07.2014 (**Annexure P-3 & P-4** respectively) which are the subject matter of present writ petition.

The stand of the State was that after a decision of the Full Bench in **Manjit Singh's** case holding that the candidates possessing the

degree(s) in Bachelor of Physical Education (B.P.Ed.) and Master of Physical Education (M.P.Ed.) were also to be treated as eligible, the selection list prepared in the year 2009 was being recast necessitating the issuance of public notices at **P-3 & P-4**.

At the time of hearing, learned counsel for the petitioners submits that the present petition has become infructuous, as after the finalization of the recasted merit, the services of the present five petitioners have been terminated, as they do not now fall within the zone of appointment after treating the candidates with higher qualifications of B.P.Ed./M.P.Ed. to be also eligible. Therefore, separate petitions are being filed to challenge the fresh termination orders.

In view of above, present petition stands dismsised as infructuous.

March 09, 2017

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**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No