

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

CWP No.20529 of 2012

Date of Decision:16.03.2017

Sanjay Kumar

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. S.S. Malik, Advocate for the petitioner.

Mr. Hitesh Pandit, Addl. A.G. Haryana.

Mr. Ashok S. Chaudhary, Advocate for respondent No.3.

P.B. BAJANTHRI J. (Oral)

The petitioner is a candidate for recruitment to the post of PGT Mathematics pursuant to the advertisement dated 7.6.2012. Petitioner's candidature has been rejected on the score that the petitioner has obtained counter signature to the experience certificate dated 4.9.2012 which is beyond the last date i.e. 16.8.2012.

Learned counsel for the petitioner pointed out that the petitioner gained experience certificate from B.R. Tyagi Senior Secondary School (Recognized and Affiliated to C.B.S.E.) to New Delhi. In New Delhi, there is no system of counter signature to the experience certificate in Education Department, Delhi. Therefore, as on the date of issuance of experience certificate dated 30.7.2012, the experience certificate was not counter signed. Later the petitioner got counter signed on 4.9.2012. It is stated to be beyond the last date of submission of application. In this background, the respondents have not considered the petitioner's candidature on the score that the petitioner's experience certificate was not counter signed prior to 16.8.2012. He further pointed out that Haryana

School Teachers Selection Board issued a notice dated 11.1.2013 by extending the last date which reads as under:

“4. Haryana School Teachers Selection Board also invites online application through the website www.recruitment.cdacmoball.in from such candidates who possess the minimum four year experience till 11.4.2012 in privately managed Govt. Aided Schools, Recognized Schools and Government Schools on the post of PGT and had not applied earlier against the advertisement No.1/2012 dated 7.6.2012 due to the condition mentioned in Note 2 of the advertisement that “candidate must be in service on 11.4.2012 in addition to being in position on the date of applying for the said post. Provided that they were eligible on 15.7.2012 as per HSTSB Advertisement 1/2012. The online application can be filled from 14th January, 2013 to 20th January 2013 till 5 p.m. Thereafter website link will be disabled. Application fee may be deposited upto 21st January, 2013 till 4.00 p.m. and last date for counter signature on experience certificate by Director Secondary Education is 28th January 2013. However, the other eligibility condition regarding age academic qualification etc. for the post will remain unchanged and the cut-off date for determining the eligibility of the candidates who will apply in response to this notice will be treated as on 15.7.2012 as prescribed in corrigendum dated 3.4.2012.”

Having regard to the above fact that last date for submission of application is extended beyond 4.9.2012, the petitioner's candidature is required to be re-considered by the Selection Board.

By virtue of interim order, the petitioner was interviewed which is subject to result of this petition.

In view of these facts and circumstances, the concerned respondent is directed to consider the petitioner's experience certificate as though he is eligible having regard to the fact that last date of submission of

application is extended beyond 4.9.2012. Such consideration of the petitioner's candidature be made within a period of three months. If he is otherwise eligible, he be selected and appointed.

Accordingly, petition stands disposed of.

16.03.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**