

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 21977 of 2017
Date of decision: 26.09.2017

Amandeep SinghPetitioner(s)

Versus

State of Haryana and others ...Respondent(s)

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

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

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks direction for interviewing the petitioner for the post of PGT Punjabi and recommend his name for appointment to the Government if he makes the grade and secures marks more than respondent no. 5 who has been selected and recommended for appointment as the last candidate under the BC-A category.

The grouse of the petitioner is that the petitioner had applied for the said post in pursuance of the advertisement no. 4 of 2015 (Annexure P-7) wherein, there was a condition that the HTET qualification was permissible till the date of interview as per the eligibility clause. The relevant note reads thus:-

“Note- The candidates those who are having/passed HTET till the date of interview after advertisement will be allowed for interview on the basis of acquiring HTET (Test) till the date of interview.”

It is not disputed that the petitioner did not get the said qualification and had not approached this Court. He sat in the written test

on 03.03.2016 and was called for scrutiny of documents on 06.12.2016. On account of not having the HTET qualification, he was not called for interview which was to be held on 28.12.2016 as per notice dated 22.12.2016 (Annexure P-15). Resultantly, the result was declared on 23.02.2017 (Annexure P-16) in which 16 posts of the BC-A category had been filled up. It is not disputed that the persons have also been recommended for appointment (Annexure P-17) by the respondent-Commission in which the private respondent's name figures. Thereafter, the said persons have also been given stations of posting vide order dated 04.05.2017 (Annexure P-18). However, the petitioner is now seeking the benefit of appointment or consideration on the ground that he had secured 110 marks in the written test whereas the private respondent had secured only 104 marks but had gone on to the stage of interview since he had the requisite qualifications.

The petitioner was a beneficiary of the orders passed in CWP No. 15979 of 2016, Sarita Yadav vs. Board of School Education, Haryana and others, decided on 14.07.2017 wherein, credit of 5 questions was given. Resultantly, his marks were revised vide communication dated 02.08.2017 (Annexure P-20) and, therefore, the petitioner was issued the requisite HTET certificate dated 02.08.2017 which is valid till 31.07.2021 (Annexure P-21). It is on this basis he seeks the necessary relief which cannot be granted to him as admittedly the selection process has already come to an end and the private respondents have already been given appointment. The posts have already been filled up and at this stage the petitioner, therefore, cannot be given any benefit as he never approached this Court and got interim orders for being provisionally interviewed which could have been

subject to the final decision of the selection process.

Resultantly, he has missed the bus and was not eligible as per the terms of the advertisement and, therefore, no further orders are called for and accordingly, the present writ petition is dismissed in limine.

26.09.2017
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(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No