

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

CWP No.3584 of 2017

Date of Decision:-22.02.2017

Daljeet Kaur.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Vikas Chatrath, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner had competed for the 1573 posts of Rural Associate Teachers in the stream of Social Studies in OBC category to be appointed on contract basis on a consolidated salary of Rs.6,000/- per month. As per merit determined based on the percentage of marks in her qualifying examination, she was asked to appear for counseling on 24.09.2013 and for scrutiny of documents and concededly the petitioner did not appear on the appointed date. Accordingly in the subsequent counseling the persons lower in merit were called. Finally on 15.10.2014 a merit list of all the candidates of different subjects including Social Studies is stated to have been uploaded for inviting the candidates for allotment of stations. Concededly the petitioner never approached the authorities either on 24.09.2013 or soon after 15.10.2014.

the vacancies out of the same selection on account of her merit.

Counsel for the petitioner heard at length.

No case for interference is made out. The aforesaid claim of the petitioner has been rejected vide memo dated 26.05.2016 (P-9) which reads as under:-

“ OFFICE OF DIRECTOR EDUCATION DEPARTMENT
(SE) PUNJAB, S.A.S. NAGAR

(Establishment-2 Branch)

To

Regd:

*Smt. Daljeet Kaur wife of Sh. Vijay Kumar
Village and Post Office Baluana,
District Fazilka.*

*Memo No.1178-15/296-2016-E2(5) 1158/1
Dated, S.A.S. Nagar 26/5/2016*

*Subject: In reference to non receipt of appointment letter
of Social Studies Teacher in Recruitment of 5178
Rural Associate Teachers.*

*Reference: In reference to your request dated 09.03.2016 on
the above captioned subject.*

*It is being intimated to you that you had not
participated in the counseling held in November, December-
2014. Appointment letters had been issued to the concerned
candidates in this counseling after selection of their station
upon submission of their acceptance letter. More than one
year has already elapsed to this counseling process, therefore,
at this stage, your request for acceptance of appointment
letter has been consigned to the office record.*

Sd/-

(Baljinder Singh)

Assistant Director (P.S.-2)

”

The aforesaid reasoning is absolutely in consonance with the settled law that after a delay at the most one year of any selection, no body can invoke his right of appointment as against the unfilled vacancies, the persons who have become subsequently eligible have a right guaranteed under Articles 14 & 16 of the Constitution for consideration for appointment.

In view of the above, the present writ petition is hereby dismissed.

(JASWANT SINGH)
JUDGE

February 22, 2017
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>