

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

CM No. 18735 CWP of 2018 in
CWP No. 8254 of 2017
Date of decision: 15.1.2019

Rekha Rani

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sunny Singla, Advocate,
for the applicant/petitioner.

JAISHREE THAKUR, J.

By way of instant application, the petitioner seeks clarification of the order dated 21.4.2017 by which the Civil Writ Petition No. 8254 of 2017 had been disposed of in terms of order passed in Civil Writ Petition No. 315 of 2016.

In brief, the facts are that CWP No. 315 of 2016 titled Parminder Kaur and others Vs. State of Punjab and others came be allowed on 3.4.2017, holding that the age specified in the advertisement seeking to fill up 3522 ETT posts, wherein the upper age limit 37 years has been fixed was dehors the Punjab State Education Class III (Primary School Cadre) Service Rules, 1997, in which the upper age has been prescribed to be 42 years. It was further held that the age as mentioned in the advertisement has to be in accordance with the said Rules, which is 18 to 42 years. The writ petition filed by the petitioner was allowed in the same terms and in terms of

the said judgment, the petitioner applied afresh.

It is contended by the learned counsel for the petitioner that the petitioner applied on line, however, was not considered for appointment which was not in consonance with the order passed in CWP 315 of 2016. Consequently, COCP No. 2565 of 2017 was filed, which was disposed of by this Court by taking note of the fact that the claim of the petitioner was rejected as the petitioner had not applied for the post of ETT Teacher nor she had submitted hard copy i.e. offline system for the said post. Based on this assertion made by the learned counsel appearing on behalf of the State of Punjab, the contempt petition was disposed of, leaving the petitioner to avail her remedy in accordance with the law. It is thereafter that this application seeking clarification of the order passed by this Court in CWP has been filed.

I have heard learned counsel for the applicant/petitioner and find no merit in the said application. Admittedly, the writ petition was allowed in terms of CWP No. 315 of 2016 titled Parminder Kaur and others Vs. State of Punjab and others decided on 3.4.2017, holding that the age as mentioned in the advertisement was not correct and it should be in consonance with the Punjab State Education Class III (Primary School Cadre) Service Rules, 1997, where the age was specified 18 with upper limit 42 years. This Court fails to understand what needs to be clarified. If the petitioner had not applied for the post nor she had submitted hard copy, as claimed by her, it has been left open for her to avail her remedy in accordance with law.

In view of the above, no clarification is required to be made by this Court. Dismissed.

15.1.2019
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No