

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

CWP No. 15898 of 2014.

Date of Decision: 21.11.2018.

Sneh Prabha

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Chanchal K. Singla, Advocate,
for the petitioner.

Ms. Bhawna Gupta, DAG Punjab.

JITENDRA CHAUHAN.J.

Through the instant civil writ petition, the petitioner seeks issuance of a writ in the nature of mandamus directing the respondents to issue appointment letter to the petitioner as Art and Craft Teacher.

The facts of the case are that an advertisement (Annexure P-1) was issued by respondent No.2 for filling up 629 posts of Classical and Vernacular Cadre for school education by direct recruitment. Out of 629 posts, 500 posts were meant for Art and Craft Teachers. The petitioner applied for the post of Art and Craft Teacher. After the interviews, the petitioner was called to collect the appointment letter from the office of District Education Officer, Secondary Education, Mohali however, she was told that she had not done diploma in Art and Craft from any institution approved by the

Punjab Government, therefore, the appointment letter cannot be issued to her.

It is contended that the petitioner has done B.A and B.Ed, therefore, she is more qualified than the diploma holder. The subjects which are taught in 1st and 2nd year of diploma course of Arts and Crafts have already been studied by the petitioner in fine Arts in B.A. Part-I, Part-II, and Part-III.

On the other hand, the stand of the respondents is that the essential qualification for the post of Art and Crafts Teacher was “Matriculation along with 2 years Diploma in Art and Craft from any institution approved by Punjab Govt. department of Industrial Training Organization.” Since the petitioner did not possess the required two years' diploma in art and craft, therefore, she was not even eligible for the post of art and craft teacher and as such the name of the petitioner did not exist in the final merit list.

Heard.

It is to be noticed that the petitioner did not possess the requisite qualification of diploma in art and crafts from any institution approved by the Punjab Government, which was required for the post of Art and Crafts Teacher advertised vide Annexure P-1. The Court is not inclined to enter into the arena of deciding whether the subjects studied by the petitioner during her three years' degree course could be said to be equal to the subjects which are taught during diploma course as the same falls in the domain of the academic

experts. Hence, finding no merit in the contention raised by the learned counsel for the petitioner, the instant petition is dismissed.

21.11.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

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