

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

**CWP No.2155 of 2018 (O&M)
Date of Decision: 08.03.2018**

MONIKA GOYAL

..... Petitioner

Versus

**THE STATE OF PUNJAB THROUGH ITS CHIEF SECRETARY,
GOVT OF PUNJAB AND OTHERS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

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

JASWANT SINGH, J. (ORAL)

The petitioner was an aspirant for appointment to the post of ETT Teacher pursuant to the advertisement dated 09.11.2015 (**Annexure P-1**). The age limit prescribed for the candidates was that they should be between 18 to 37 years as on 01.01.2015. Relaxation of 5 years was provided for the reserved categories of SC and BC of Punjab State. The candidates were required to apply online and the last date fixed for 02.12.2015. The petitioner belongs to General category and her date of birth is 15.06.1977 and therefore, the petitioner being above 37 years of age did not apply.

It so transpires that some of the candidates who were above 37

years of age but below 42 years of age filed writ petitions before this Court, assailing the age requirement in the light of the maximum permissible age being 42 years provided in the statutory rules, namely, '*The Punjab State Education Class III (Primary School Cadre) Service Rules, 1997*,' (in short '*Service Rules, 1997*') governing the posts of ETT Teachers. The petitioners therein were permitted to apply offline by submitting their hard copies of the application forms. Subsequently, the writ petitions were decided vide a common order dated 03.04.2017 (**Annexure P-4**) by learned Single Judge of this Court, holding that in view of the provisions of '*Service Rules, 1997*', the maximum age for recruitment to the post of ETT Teachers had to be 42 years and not 37 years.

In view of the aforesaid judgment, the petitioner is now praying for consideration for appointment as ETT Teacher pursuant to the selection process undertaken upon the advertisement dated 09.11.2015 (**Annexure P-1**).

After hearing learned counsel for the petitioner, no ground for interference is made out.

Concededly, the petitioner had never applied for appointment considering herself to be over age. The petitioner cannot claim parity with the other candidates, in whose favour the judgment (**Annexure P-4**) has come about to be passed, as they by filing writ petitions in time had secured interim orders, permitting joining the process of selection.

It is conceded that the entire selection process is over and the appointments have been made. The petitioner was a fence sitter and now after the judgment has come about, the clock cannot be put back and,

therefore, no relief can be granted to the petitioner, at this stage.

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

March 08, 2018
'rajneesh'

(JASWANT SINGH)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No