

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

**Civil Writ Petition No. 5855 of 2018 (O&M)
Date of Decision: 12.03.2018**

Reetika Puri

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vishal Mittal, Advocate
for the petitioner.

JASWANT SINGH, J. (ORAL)

Petitioner (Reetika Puri) appeared in the Punjab State Teachers Eligibility Test, Paper-II (in short 'PSTET-II) conducted in the year 2011 in the General Category. The minimum pass marks were ninety (90) for the General Category and if the candidate passes the test, he/she is considered to be possessing one of the eligible qualifications for appointment as a Teacher by the Education Department, Punjab. The petitioner, admittedly, secured eighty-six (86) marks and, thus, declared "Fail".

It so transpires that some of the questions in the PSTET-II did not have the correct answer keys, therefore, this Court in a writ petition bearing *CWP No. 2461 of 2012*, decided on 05.09.2014, held that the candidates were entitled to the grant of four (04) additional marks. Since the said benefit was restricted to the petitioners in the aforesaid writ petition, a bunch of petitions was filed in the year 2017, which were disposed of vide order dated 25.09.2017 (**Annexure P-6**), thereby directing

the competent authority to uniformly grant the benefit of four (04)

additional marks to all the candidates, who had undertaken the PSTET-II examination in the year 2011. It is a conceded position that the certificate obtained in the year 2011 is valid for a period of seven (07) years only, i.e., till 2018. Accordingly, the result of the petitioner has been revised on 24.10.2017, whereby she has secured ninety (90) marks in PSTET-II and, therefore, passed the test, thereby acquired eligibility qualification for appointment as a Teacher.

Based on the aforesaid fact of having passed the PSTET-II, the petitioner having acquired eligibility qualifications is claiming for her right of appointment as Teacher pursuant to the advertisement dated 07.05.2011 (**Annexure P-2**) and the selections and appointment made in the year 2013, on the plea that the persons lower than her in merit have been appointed. It is so claimed because the merit was determined on the basis of the percentage of marks obtained in the essential education qualification, and the petitioner claims to have higher merit than last candidate appointed in her category, who at the initial stage was considered ineligible due to non-passing of PSTET-II Test.

It is not disputed that the selection list and waiting list pursuant to the advertisement dated 07.05.2011 (**P-2**) have lapsed and the entire selection process is over almost five years ago.

After arguing for sometime, learned counsel for the petitioner prays for withdrawal the present petition.

Dismissed as withdrawn.

March 12, 2018

'dk kamra'

(JASWANT SINGH)

JUDGE

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