

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No. 1763 of 2016 (O&M)

Date of Decision: 10.10.2018

Sukhan Deep Kaur

.....Appellant

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL, JUDGE
HON'BLE MR. JUSTICE AVNEESH JHINGAL, JUDGE

Present: Mr. Vivek Sharma, Advocate
for the petitioner.

Mr. Mehardeep Singh, Addl. AG Punjab.

AVNEESH JHINGAL, J.

The order passed by learned Single Judge has been challenged by filing the present intra-court appeal.

2. In the case in hand the appellant filed a writ petition challenging clause No.10 of advertisement issued in October 2014 by State of Punjab for posts of Art and Craft Teacher. In October 2012, 100 posts of Art and Craft Teachers were advertised. As per clause No.10 of the advertisement, candidates between age of 18 to 38 years as on 01.01.2012 were eligible to apply. A fresh advertisement was issued in October 2014 and the candidates who had not applied earlier in pursuance to advertisement issued in October 2012 were also given chance. Cut off date regarding age of eligible candidates was kept same i.e. 01.01.2012. The petitioner attained the age of 18, after the cutoff date but still she applied in pursuance to the advertisement of October 2014. She was not considered, being ineligible.

3. The petitioner challenged the clause regarding cut off date of the age as mentioned in advertisement of October 2014 by filing a writ petition in August 2016. The learned Single Judge dismissed the writ petition considering that there was no challenge to the selection and the only ground raised was with regard to cut off date in the advertisement of October 2014. It was held that the said condition should have been challenged when the advertisement was issued.
4. Learned counsel for the appellant contended that the advertisement was issued afresh in 2014 whereas the cut off date was kept as 01.01.2012.
5. The contention raised by the appellant deserves rejection. The petitioner never challenged the condition at the time of issuance of advertisement i.e. in the year 2014 rather applied in pursuance to it. We find no error in the order passed by the learned Single Judge.
6. The appeal is dismissed.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

10.10.2018
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Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No