

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 24871 of 2018 (O&M)

Date of decision :07.05.2019

Ram Sawrup

...Petitioner(s)

versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vineet Kumar, Advocate for the petitioner.

RITU BAHRI, J. (Oral)

The petitioner is participating for the post of PGT Political Science under the BC-B category. The final result was declared on 15.11.2018 (Annexure P-9) and the last selected candidate under the said category has secured 124 marks. The result of the petitioner has been produced in Court today. He has secured 110 marks in the written examination, 14 marks in the experience and 10 marks in the viva voce. Total marks are 134. The petitioner has secured higher marks than the last selected candidate. Result has been returned to learned counsel for the State.

A perusal of the application form of the petitioner (Annexure P-8) shows that his category is BC-B and Annexure P-7 is the experience certificate issued by Principal Govt. Senior Secondary School Pota (District Mohindergarh).

Learned counsel for the petitioner has further referred to a judgment passed by this Court in *CWP-2129-2017 Rakesh Kumar and another V/s. State of Haryana and others*, decided on 02.05.2017 (Annexure P-1) wherein the petitioner was also a party in *CWP-5182-2017*

Ram Sawrup V/s. State of Haryana and others. In this writ petition, the

issue for consideration before the Court was that candidate who has passed STET examination in 2008 would become ineligible after 2013 and further plea taken was that applicability of the limit of 05 years be made with prospective effect and the petitioners cannot be severely prejudiced by this precipitate action of the respondents.

At this stage, with the intervention of the State counsel, clarification dated 21.04.2017 was carried out and taken on record as Mark 'A' wherein it has been decided by Additional Chief Secretary to Government of Haryana, School Education Department that the offending clauses of the notifications dated 15.07.2011 and 21.07.2011 shall be construed to be having prospective effect, meaning thereby that the validity of all STET certificates shall be upto 20.07.2016. This judgment has attained finality. Keeping in view this judgment (Annexure P-1), and the marks obtained by the petitioner, writ petition is allowed and direction is being given to the respondents to further verify the STET certificate of the petitioner and recommend the name of the petitioner for appointment to the post of PGT Political Science under the BC-B category within a period of two weeks from the date of receipt of certified copy of this order and respondent No.2 will issue necessary order within the next 15 days.

Since the main case is allowed, pending application, if any, also stands disposed of.

07.05.2019
Divyanshi

(RITU BAHRI)
JUDGE

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