

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

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**CIVIL WRIT PETITION NO.7981 OF 2019
DATE OF DECISION: JANUARY 13, 2020**

Kuldeep Singh

.....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Amit Shukla, Advocate,
for the petitioner.

Ms. Monica Chhibber Sharma, Sr.DAG, Punjab,
for the State.

Mr. Ashish Bansal, Advocate,
for respondent No.2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court, praying for issuance of a writ of mandamus, directing the respondents to pay compensation for not giving him the required marks in Punjab School Teachers Eligibility Test-I 2015)for short, “PSTET-I 2015”).

Perusal of the writ petition would indicate that the petitioner had applied for passing the PSTET-I 2015 in which he scored 89 marks whereas the required marks were 90 for being eligible for grant of pass certificate. Petitioner asserts that the respondents have wrongly denied him 1 mark because of which he could not apply for the posts of ETT, which were advertised by the respondent Department in the year 2016 (Annexure P-4). He also asserts that because of fault of the respondent Department, he lost the chance to participate in the selection process and, therefore, could

not be selected for appointment to the post of ETT. The present writ petition has been filed by the petitioner in the year 2019 for claiming the said benefit. It has also been asserted by the petitioner that in the subsequent year 2017, he passed the Punjab State Teachers Eligibility Test but still he has not got any appointment. He further asserts that about 200 posts are lying vacant and he can be appointed against one of those posts. Prayer has, thus, been made that the petitioner should either be granted appointment on the post of ETT or granted compensation for the fault of the respondents.

I have considered the submissions made by counsel for the petitioner and on going through the pleadings and in the light of the reply, which has been filed by the respondents, find that no right of the petitioner appears to have been violated in any manner, much less which would entitle him to the compensation as he has failed to establish the fact of there being any fault on the part of the Department in granting him 1 less mark in the PSTET-I 2015.

That apart, merely because the petitioner would have become eligible for applying for the post of ETT would not confer any right of appointment on the post of ETT. It is a competition in which the petitioner could have participated on completion of eligibility criteria and still that was not a guarantee to him for appointment on the post of ETT. As the petitioner failed to establish his claim, no relief can be granted to him.

Therefore, the writ petition is dismissed being devoid of any merit.

January 13, 2020
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(AUGUSTINE GEORGE MASIH)
JUDGE

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