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

CWP-6054-2021

Date of decision : 16.03.2021

Neelam Sandhu

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. Arun Takhi, Advocate for the petitioner.

Ms. Simran Grewal, Assistant Advocate General, Punjab.

(The proceedings are being conducted through video
conferencing, as per instructions)

G.S. SANDHAWALIA, J. (ORAL)

The petitioner challenges her non-selection to the post of Science Masters/Mistress (Non-Medical) on the ground that she had got 83 marks in written examination, in pursuance of the advertisement dated 28.02.2020 (Annexure P-8).

It is the case of the petitioner that the candidates lower in merit have made the cut off and who were shown on the rank below her vide Annexures P-20 and P-22 and the merit had come down to 78. It is thus, submitted that at the time of scrutiny, the petitioner has been shown at Sr. No.23 and had secured 83 marks in written examination but has not made cut off and private respondents as such have been appointed who are lower

in merit.

Ms. Simran Grewal, Assistant Advocate General, Punjab, has put in appearance on behalf of the State, on having prior instructions and submitted that the petitioner has not been shown as qualified candidate on account of the fact that she did not possess required educational qualification on the cut off date which was 20.03.2020 vide advertisement dated 28.02.2020(Annexure P-8). Reference is made to requirement for Science Masters/Mistresses (Non-Medical) through which a candidate is required to pass B.Ed. from a recognised University or Institution with Science as one of the teaching subject as per guidelines of the University Grants Commission.

Perusal of Certificate of Bachelor of Education dated 10.11.2020 (Annexure P-4), shows that it is issued after the cut off date. In such circumstances, it is apparent that the reason for the petitioner having not been shown in the list of successful candidate is apparent as she did not have requisite qualification on the said cut off date.

Learned counsel has not been able to demonstrate that the cut off date qua essential qualification if so was extended though reference has been made to various public notices but could not show that cut off date has been extended beyond 10.11.2020. It is also apparent that written examination as such was taken on 27.12.2020, 28.12.2020, 09.01.2021 and 10.01.2021

Public notices show that occasion was given to candidates for the amendment of the date as such, but nothing is there to show that date was extended beyond 10.11.2020 on the date the petitioner acquired her

Bachelor of Education Certificate.

In the absence of the same, no fault can be found in the action of the respondents by not treating the petitioner as a qualified candidate for the said post.

Accordingly, the present writ petition is dismissed in limine.

16.03.2021

Pawan

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No