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

CWP-6720-2021

Date of decision : 08.04.2021

Gaytri

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Bikramjit Singh Randhawa, Advocate for the petitioner.

Ms. Lavanya Paul, AAG, Punjab.

G.S. SANDHAWALIA, J. (ORAL)

The petitioner seeks directions under Article 226/227 of the Constitution of India, for consideration to the post of Master Cadre Teacher on the ground that she has been denied the appointment wrongly on the ground that her Graduation result was delayed.

It is her case that she applied for the post of Master Cadre Teacher as per the Advertisement (Annexure P-1) and was placed at rank No.4 under SC (R&O) category as per the Result (Annexure P-5). However, her name did not find mention in the final selection list (Annexure P-6). Counsel has accordingly submitted that the requisite Certificate was issued only on 14.10.2020 as per the communication dated 20.02.2021 (Annexure P-7) of the Government College of Education, Jalandhar City. Therefore, on account of delay in declaring the result, she should not face the adverse consequences.

It is the case of the petitioner that she got 117 marks in the

written test and, therefore, the candidates who had secured same number of marks and less i.e. 117 marks and 116 marks, were figuring in Annexure P-6 as qualified candidates, whereas her name did not find mention.

At the first blush, the arguments of counsel for the petitioner looks attractive but the closer perusal of the paper book would go on to show that as per the Clause 2(ii) of the Advertisement itself, the essential qualifications are earmarked of passing B.Ed from the recognized University and the cut off date has been prescribed as 20.03.2020. The petitioner while filling the application form (Annexure P-2) has shown that she has done her B.Ed. in the year 2020. Nothing has been brought on record to show that cut off date was extended beyond 20.03.2020. The Certificate (Annexure P-7) as such is now been relied upon which would go on to show that the petitioner had joined B.Ed. for the Session 2018-2020 and, therefore, on the cut off date i.e. 20.03.2020 she had not acquired the requisite qualifications. It is, thus, apparent that for this reason, the petitioner has not been shown in the list of successful candidates as she did not have requisite qualification on the said cut off date.

In such circumstances, once the petitioner did not have requisite qualifications before the cut off date, no fault can be found in the action of the respondents in not putting her name in the list of qualified candidates.

Accordingly, there is no merit in the writ petition and the same is dismissed in limine.

08.04.2021*Pawan***(G.S. SANDHAWALIA)
JUDGE****Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No**