

[208] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No.3090 of 2017
Date of Decision : 01.09.2022

Manmit Singh ...Petitioner

versus

Krishan Kumar, Secretary, Deptt. Of Education,
Govt. of Punjab, Chandigarh and anotherRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Sunny Singla, Advocate for the petitioner.
Mr. Mohit Kapoor, Addl. AG, Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiation of proceedings against the respondents for intentional and willful defiance of order, Annexure P-1, dated 03.04.2017, in CWP No.1782 of 2016 in case titled as '**Manmit Singh** versus **State of Punjab and others**'.

[2] A perusal of order (Annexure P-1), reveals that the aforementioned writ petition was allowed, by holding that the age specified in the advertisement was not sustainable and the same had to be in accordance with the Punjab State Education Class-III (Primary School Cadre) Service Rules, 1997 i.e. between 18 to 42 years.

[3] Learned counsel contends that the petitioner was treated eligible as per age stipulated under the Punjab State Education Class-III (Primary School Cadre) Service Rules, 1997 but was not found eligible on account of not having secured the minimum cut of marks in the Punjab State Teachers Eligibility Test, therefore, in the circumstances, the petitioner does not press the instant petition but prays for liberty to

challenge in accordance with law, by way of appropriate proceedings, otherwise than by way of a contempt petition, action of the respondents, holding the petitioner ineligible vide order dated 11.12.2017 on the basis of the marks obtained by him in the Punjab State Teachers Eligibility Test.

[4] In view of the position noted above, as well as statement of learned counsel for the petitioner, the instant petition is *disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971, while granting liberty to the petitioner, as prayed for.

[5] *Rule discharged.*

(B.S. Walia)
Judge

01.09.2022

'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>