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

**CWP-141-2016 (O&M)
Date of decision : 29.08.2022**

Mandeep Kaur

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Narinder Kumar Vadehra, Advocate,
for the petitioner.

Mr. D.K. Singal, Addl.A.G., Punjab.

MAHABIR SINGH SINDHU, J.

Present writ petition has been filed under Article 226 of the Constitution, *inter alia*, for directing the respondents to allow the petitioner to apply for the post of Teacher in BC Category issued vide advertisement dated 20.11.2015.

The Coordinate Bench, while issuing notice of motion in this case on 07.01.2016, passed the following order:-

*“Inter-alia contends that the petitioner is a backward class category candidate who had sat in the PSTET-2013 and had secured 82 marks. Initially the petitioner had not been declared pass. Thereafter, a Division Bench of this Court in **Civil Writ Petition No.7829 of 2014-Sandeep Dass Vs. State of Punjab and others** decided on 31.10.2014 (Annexure P/5) has held that such candidates who had secured 82 marks were entitled to be declared as qualified in view of the decision taken by the NCTE. Accordingly, the petitioner was*

granted the benefit of having been qualified vide Annexure P/4 but she was not informed. She unwittingly sat again in the PSTET held on 23.12.2015 but failed to qualify. Thereafter on 30.12.2015 Annexure P/4 was supplied to her. In the said process her right to apply for the post of Hindi Mistress on the strength of qualifying in PSTET-20013 was taken away since cut off date for applying to the said post was 12.12.2015.

*However, since in pursuance of order dated 12.12.2015 passed by this Court in **Civil Writ Petition No.25249 of 2015- Mandeep Kaur and another Vs. State of Punjab and others**, the last date was extended till 09.1.2016 vide public notice dated 24.12.2015 (Annexure P/7). The petitioner would however be not entitled to apply for the said post since as per the said notice, the benefit of applying has only been restricted to candidates who have been declared qualified in the PSTET held on 23.12.2015 and therefore, the petitioner's candidature will not be considered.*

Notice of motion for 9.2.2016

Mr. R.S.Sidhu, Assistant Advocate General, Punjab accepts notice on behalf of respondents and prays for some time to file reply.

Let the needful be done before the next date.

Requisite copies of the writ petition be supplied to the counsel for the State during course of the day.

Keeping in view the above facts, the petitioner's application for the post of Hindi Mistress will be entertained by respondent no.2 by way of hard copy in case the petitioner's applies for the same by 9.1.2016 till 5.00 PM. The petitioner's case will accordingly be considered for the said post. However, the result of the

petitioner will not be declared till further orders of this Court.

Copy of this order be supplied to the counsel for the petitioner under the signature of the Special Secretary of this Court.”

In pursuance of the above order, petitioner was allowed to participate in the selection process, however, her result was kept in a sealed cover.

Today, learned State counsel, on instructions from Mr. Surinder Kumar, Senior Assistant, has apprised the Court that petitioner obtained only 171 marks; whereas, the last selected candidate secured 190 marks in the BC category.

In view of the above, learned counsel, on instructions from the petitioner, does not press the petition any further and submits that the same be disposed off.

Ordered accordingly.

Needless to say that result of the petitioner be supplied to her within 01 week from today, but that shall not be construed as an expression of opinion on the merits of the case in any manner.

29.08.2022
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :
Whether Reportable :

Yes	No
Yes	No