

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

**CWP No.18477 of 2019 (O&M)
Date of Decision: 14.07.2022**

Jaswinder Singh Mann

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Dhiraj Chawla, Advocate for the petitioner.

Ms. Anu Chatrath, Addl. A.G., Punjab for the respondent(s).

MAHABIR SINGH SINDHU, J.

Present writ petition has been filed under Article 226 of the Constitution for directing the respondent No.2, Punjab Public Service Commission (*for short 'Commission'*) to treat the petitioner eligible and interview him for the post of Principal (direct recruitment) in pursuance of the advertisement dated 09.03.2019 (P-2) while treating his teaching experience on the post of Vocational Instructor in the Government I.T.I. as equivalent to the teaching experience of Govt. School. Further prayer is for directing the Commission to provisionally interview the petitioner for the aforesaid post as he has successfully cleared the written test, held on 28.06.2019 and to further appoint him on the said post.

The co-ordinate Bench, vide order dated 10.07.2019, passed the following order:-

“Learned counsel for the petitioner, inter-alia, contends that the petitioner has been serving as Vocational Instructor/Teacher at Government Institute of Industrial Training from 19.12.2013

and has not been accorded the benefit of his teaching experience by respondent No.2-PPSC on the ostensible ground that he is not a teacher in government school.

Prima-facie it seems incongruous that while a teacher teaching in a government school can be, but a instructor/teacher teaching in a government ITI cannot be considered for the purpose of teaching experience.

Notice of motion.

At the asking of Court, Ms. Anju Arora, Assistant Advocate General, Punjab, accepts notice on behalf of respondent and seeks time to file reply.

Adjourned to 22.11.2019.

In the meanwhile, the respondents are directed to allow the petitioner to provisionally appear for interview. However, grant of provisional opportunity to appear in the interview, shall not create any equitable right in favour of the petitioner. The result of the petitioner shall be kept in a sealed cover during the pendency of present writ petition.”

In compliance of the previous order(s), result of the petitioner has been produced and the same is perused.

It reveals that petitioner secured 217.50 marks (written plus interview); whereas according to learned Counsel for the petitioner, the last selected candidate, namely, Phoolwati secured 240.84 marks.

Faced with the above situation, learned Counsel on instructions from petitioner does not press the present petition any more on merits.

Disposed off accordingly.

Result of the petitioner be returned back to learned State Counsel.

Pending application(s), if any, shall also stand disposed off.

July 14th, 2022
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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