

CWP-1533-2019

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

CWP-1533-2019

Date of decision: 23.02.2023

Sunil Kumar

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Challenge in the present petition is to the action of the respondents vide which the petitioner was considered ineligible for the post of Post Graduate Teacher (PGT) Mathematics.

It is the case of the petitioner that pursuant to advertisement dated 28.06.2015 (Annexure P-1), the petitioner being eligible applied for the aforesaid post meant for BC-A (OH) Category; that in the written examination, the petitioner had secured 72 marks i.e. more marks than the last selected candidate; that the petitioner was also called for the interview, and that however, the petitioner was considered ineligible for the aforesaid post.

Learned State counsel submits that the petitioner was found ineligible for the aforesaid post for the reason that he was not holding the requisite qualification, and that the petitioner possessed the qualification of M.Sc. Statistics, but as per the advertisement, the requisite qualification for

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the aforesaid post was M.A.Mathematics/M.Sc. Mathematics/Applied Mathematics with Mathematics as one of the subject at Graduation level with at least 50% marks and B.Ed. from the recognized University.

The Hon'ble Supreme Court in 'Ashok Kumar Sonkar Vs. Union of India and others, 2007(4) SCC 54, held that a candidate not holding the requisite qualification on cutoff date, will be ineligible and cannot be considered at all. Equity or sympathy will have no role to play in such cases.

However even on the second call, there is no representation on behalf of the petitioner.

Dismissed for non-prosecution.

23.02.2023

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No