

128 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4850-2023 (O&M)

Date of decision: 13.03.2023

Prabhpal Singh

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. R.D.Bawa and
Mr. Dipanshu Kapur, Advocates for the petitioner
Mr. Gurpreet Singh, Addl. AG, Punjab

ANIL KSHETARPAL, J (Oral)

1. As per the recruitment notice, a candidate applying for the recruitment to the post of Social Science Master is required to have the following educational qualifications:-

“2. Educational qualification

For the subject of Social Studies

(i) Should have passed Graduation with 45% marks in the case of General category candidates and 40% marks in the case of Scheduled Castes, Scheduled Tribes, Other Backward Classes, Backward Classes and Physcial Handicapped Candidates from a recognized university or institution and should have studied any of the two subjects i.e History, Political Science, Public Administration, Psychology, Sociology, Economics, Geography, Phiolosophy and Environmental Studies for three years or Graduation as per guidelines of the University Grants Commission; and

(ii) Should have passed B.Ed from a recognized university or institution with Social Science as one of the teaching subject as per guidelines of the

University Grants Commission.”

2. The candidature of the petitioner has been rejected as she did not study any two subjects out of the subjects listed in the recruitment notice at the stage of Graduation.

3. Learned counsel representing the petitioner submits that the petitioner has studied the subject of Social Science in B.Ed, therefore, she is eligible.

4. The State, while issuing the recruitment notice, has categorically notified the qualifications required for the post. Admittedly, the petitioner has not studied any of the two subjects, as mentioned in the recruitment notice, at the Graduation level which is a requisite for the post. The recruitment notice is sacrosanct for the selection of the candidates, unless proved to be totally arbitrary. In the present case, the recruitment is to the post of Masters. Hence, the qualification laid down in the recruitment notice cannot be said to be suffering from any perversity or arbitrariness.

5. In view of the aforesaid facts and discussion, no ground to issue the writ, as prayed for, is made out.

6. Hence, dismissed.

7. All the pending miscellaneous applications, if any, are also disposed of.

13.03.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE