

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-8072-2023 (O&M)

Date of Decision: 19.04.2023

YASHPAL BHARDWAJ AND ORS.

... Petitioners

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ravinder Bangar, Advocate
for the petitioners.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of directions to the respondents to grant one-time relaxation/exemption to the petitioner from passing Haryana Teachers Eligibility Test (HTET) and B.Ed., for the post of Trained Graduate Teacher (Sanskrit), against advertisement No.2/2023 dated 21.02.2023.

Learned counsel for the petitioners contends that the petitioners do not possess the qualification of Haryana Teachers Eligibility Test (HTET) and B.Ed. Qualifications, but they do have requisite teaching experience, as they have been working as Guest Teachers for the last about 15-16 years.

Learned counsel for the petitioners heavily relies upon the letter dated 18.04.2022 of the Additional Chief Secretary to Government of Haryana, regarding clarification with respect of the condition to qualify HTET and B.Ed. imposed in the appointment letters of the

candidates appointed against advertisement No.1/2012.

I have heard the learned counsel for the petitioners.

The issue involved in the present petition is whether the petitioners can be granted one-time relaxation qua the qualifications of HTET and B.Ed., to apply for the posts of TGT (Sanskrit). The reliance of the petitioners is on the exemption granted by the respondent-Department during the previous recruitment drives. However, this Court does not find any substance in the said submission of the learned counsel for the petitioners.

The objective behind the possession of a specific qualification for a particular post seeks its origin from the relevant Rules. If there is no provision in the Rules for any exemption, the petitioners cannot seek the same as a matter of right. Any relaxation or exemption granted by the respondent-Department in any recruitment process beyond Rules, is an administrative decision, taking into consideration the pragmatic circumstances and departmental exigencies.

Even otherwise, it may be noticed that earlier the cut-off date for submission of the application forms, as against Advertisement No.2/2023 dated 21.02.2023 was 15.03.2023. Thereafter, the respondents had extended the same upto 20.03.2023. However, the present petition has been filed and has come up for hearing before this Court, after the said cut-off date. This Court in CWP-5864-2023 – Anu Vs. State of Haryana and others, decided on 21.03.2023, has dismissed the writ petition filed holding that cut-off date cannot be extended by the Court.

In view of the above, finding no merit in the present petition,
the same is hereby dismissed.

19.04.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*