

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

114

**CWP-13302 of 2022 (O&M)
Date of decision: 20.01.2023**

Gurvinder Singh and others

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioners.

Mr. R.S.Pandher, DAG, Punjab

ANIL KSHETARPAL, J(Oral)

C.M.No.358-CWP-2023

Allowed as prayed for.

Reply dated 21.04.2018 is taken on record.

MAIN

1. The petitioners pray for the issuance of a writ in the nature of mandamus to direct the respondents to appoint them as the Jail Warders.
2. Pursuant to the recruitment notice dated 12.10.2011, inviting applications for 527 posts of Jail Warders, the petitioners applied. They participated in a test conducted known as “physical test” in the year 2012. In the year 2014, the State Government took a decision to abandon the recruitment which led to filing of the writ petitions in this Court which were allowed on 17.12.2016. Again the candidates were called for the physical measurement and physical strength test in April, 2017. They were required to face the interview. The selection was finalized in March, 2019. Another writ petition filed in the High Court challenging the selection process was ultimately withdrawn. The petitioners claim that now they have acquired

higher qualifications in the years 2014 and 2016 and the posts are still lying vacant.

3. The eligibility of an individual is required to be seen in accordance with the terms in the recruitment notice. In absence of any specific clause, the eligibility is required to be seen as on the last date of submitting an application which in this particular case is 25.10.2011.

4. Keeping in view the aforesaid facts, the petitioners cannot claim as a right, to be appointed after acquiring the higher academic qualifications subsequent to the last date of submitting application pursuant to recruitment notice. Moreover, the petitioners were never placed in the select list prepared by the concerned authority. They were not even called for an interview.

5. In such circumstances, there is absolutely no ground to issue the writ as prayed for by the petitioners.

6. Keeping in view the aforesaid discussion, the writ petition is dismissed.

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

January 20, 2023

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(ANIL KSHETARPAL)
JUDGE

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