

2023:PHHC:155058
CWP-16778-2013
Date of Decision: 05.12.2023

Mandeep Kaur

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present None for the petitioner.
 Mr. Vaishnav Gandhi, DAG, Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. No one appears on behalf of the petitioner.
2. The petitioner has sought appointment on the post of Art and Craft Teacher on the basis of marks obtained by her.
3. Admittedly, the petitioner secured 147.34 marks and was at Sr. No.138 in the merit and the candidates who were selected were having merit of 147.08 marks. The petitioner, therefore, claims that she should have been appointed.
4. The petitioner has stated that she did not receive any information with regard to counselling, so she could not attend the same. Accordingly, the petitioner has prayed that the respondents be directed to allow the petitioner to appear for counselling as persons lower in merit to her had been considered and were appointed subsequently. The State Government has been adopting such a practice and the candidates who for one reason could not attend the counselling have been given another opportunity to appear for counselling. The petitioner has further stated that similarly situated persons

issued to the respondents to consider the candidature of the petitioners therein as per their merit.

5. The respondents have filed reply stating that the petitioner did not turn up for counselling which was conducted on 19.08.2009, 20.08.2009 and again on 22.10.2009 and 13.11.2009 and therefore, no further benefit should be given to the petitioner. It is also stated that so far as the selections are concerned, they are relating to the year 2001 and after afflux of time, the petitioner cannot be asked to appear for counselling for considering her case.

6. I have considered the submission.

7. As per the note appended to the advertisement, it was notified that a candidate who remains absent on the date, time and venue for counselling, his claim would be cancelled and the vacancy would be offered to the next candidate according to the merit. Keeping in view thereto, the petitioner who has failed to appear for counselling which was conducted several times, cannot be granted any relief. It is her own doing which has resulted in depriving of her employment and no one can be said to be responsible for it except herself. The case relating to others cannot be said to be a sufficient ground to give a same relief to the petitioner.

8. In view thereof, the writ petition fails and the same is accordingly dismissed.

9. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

05.12.2023

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1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No