

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

126

**CWP No. 14326 of 2023
Date of Decision : 17.7.2023**

*Revat Singh**..... Petitioner**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. P.S. Jammu, Advocate, for the petitioner

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed seeking an appropriate writ, order or direction, especially in the nature of *mandamus* directing the respondents to grant relaxation of one mark in the subject of English Compulsory in Bachelor of Arts (B.A.), as the petitioner has secured 149 marks out of 300 in the subject.

2. Learned counsel for the petitioner has placed reliance upon the following Note 5 and essential qualifications for the post of Trained Graduate Teachers/TGT– English, as mentioned in Advertisement No. 9 of 2015 dated 23.7.2015 (Annexure P-7), to claim that the petitioner is entitled to relaxation of one mark in English Compulsory subject. The relevant qualifications read as under:

B.A. with at least 50% marks as well as in English as an elective subject and one year B.Ed. (Special Education).

Note 5 in the Advertisement is as under:

Note 5. There will be relaxation of 5% in B.A./B.Sc./B.Com./Senior Secondary level for Scheduled Caste (SC), Backward Class (BC), Other Backward Classes (OBC) and Differently abled candidates.

3. By referring to the aforesaid essential qualifications and the

provisions for relaxation contained in Note 5, it is contended by learned counsel that the petitioner, who belongs to Backward Class (BC) Category, is entitled to 5% relaxation in the Compulsory subject of English in B.A., which has wrongly been denied, leading to rejection of his candidature for the post in question.

4. A perusal of the result-cum-detailed marks card of the petitioner dated 10.6.2003 (Annexure P-3), shows that he has passed B.A. with the subjects of English, Hindi Compulsory, Sanskrit Elective and Geography, and scored 687 out of 1200 marks. Meaning thereby, though the petitioner has scored more than 50% marks in B.A., he did not study English as an Elective subject. He, therefore, does not fulfill the essential qualification of B.A. with at least 50% marks as well as in English as an Elective subject. Besides, the relaxation claimed by the petitioner is also not admissible. The 5% relaxation in marks, as per Note 5, is meant only for the degree of a B.A/B.Sc./B.Com./at Senior Secondary level, and not for individual subjects. The petitioner's claim seeking relaxation of one mark in the individual subject of English in B.A. is, accordingly, not sustainable. There is no provision in the rules or advertisement requiring the respondents to provide any such relaxation.

5. In view thereof, there is no ground to entertain the petition.

6. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

17.7.2023

Ashwani

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