

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

CWP-16963-2016 (O&M)

Date of decision: 13.02.2023

Rupinderjit Kaur

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Surmukh Singh, Advocate for the petitioner
Mr. Rohit Ahuja, DAG, Punjab

ANIL KSHETARPAL, J (Oral)

1. This writ petition has been filed assailing the correctness of the action of the respondents in wrongly refusing to grant extra marks for the Graduation and the Post Graduation degree in the selection of Art & Craft Teacher carried out pursuant to the recruitment notice dated 09.09.2012. The petitioner claims that she is a Graduate as well as Post Graduate in Fine Arts and therefore, she is entitled to extra marks as per the recruitment notice.

2. The relevant clause of recruitment notice reads as under:-

“2) Name of Posts : Art & Craft Teachers

(A) Number of Posts : 100

(B) xxxxx

(C) xxxxx

(D) Education Qualification

Basic Qualification

i) Matric

ii) Two years Diploma in Art & Craft from the

Govt. of Punjab Technical Education.

Criteria of selection

1.	<i>Basic Qualification</i>	40%
2.	<i>Professional Qualification</i>	40%
3.	<i>Graduate (concern subject)</i>	5%
4.	<i>Post Graduation (concern subject)</i>	5%
5.	<i>M.Phil (concern subject)</i>	5%
6.	<i>P.hd</i>	5 point.”

3. The respondents have stated that on scrutiny of the documents of the petitioner, she was found to have secured 58.180 marks whereas the merit of the last selected candidate in the general category was 62.4436.

4. On a Court question, the learned counsel representing the petitioner admits that this plea is not a part of the pleadings in the writ petition, however, this assertion for the first time has been made in the replication.

5. Learned State counsel submits that 5% extra marks for the Graduation and the Post Graduation are given only in the concerned subject i.e the Art & Craft. The petitioner does not possess the Graduation and the Post Graduation degrees in Art and Craft but in Fine Arts.

6. This Court has considered the submission of the learned counsels representing the parties. It is evident that while laying down the criteria of selection, it is specifically provided that a candidate shall be entitled to the additional marks for the Graduation and the Post

Graduation degrees if the same are related to the concerned subject. The petitioner's Graduation and Post Graduation degrees are in subject of Fine Arts whereas the concerned subject here in this case is Art & Craft.

7. Learned counsel representing the petitioner contends that no University offers Bachelors and Masters degrees in Art & Craft as a course.

8. In the considered opinion of this Court, the aforesaid argument would not help the case of the petitioner as this is only for grant of additional marks and if no University offers a Bachelors and a Masters degree in Art & Craft, then no candidate will be entitled to these extra marks as provided in the recruitment notice.

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

10. Hence, dismissed.

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

13.02.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE