

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22099 of 2014 (O&M)

Date of decision: 14.02.2023

Dr. Arjun Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Alka Chatrath, Advocate
for the petitioner.

Mr. D.K.Singal, Addl.A.G., Punjab

ANIL KSHETARPAL, J(Oral)

1. The petitioner prays for issuance of a writ in the nature of certiorari to quash the result of selection to the post of Headmasters declared on 16.10.2014. The petitioner complains that he has been wrongly ignored by the appointing authority.

2. The relevant facts, in brief, are required to be noticed:-

3. A recruitment notice was issued on 01.10.2013 inviting applications for the recruitment of Headmasters in 264 schools on a contract basis. Apart from that 764 teachers in various streams were also sought to be recruited by the concerned authority. The petitioner applied for the post of Headmaster. As per sub-clause (4) of Clause 9 of the recruitment notice for the post of Headmasters, the following was the requirement of experience:-

4. For the post of Headmaster:

The experience of teaching as

Master/Mistresses/Lecturer School cadre for teaching 6th

to 12th Classes in Government/Government Aided Schools recognized and affiliated to CBSE/ISCE/PSEB or its equivalent Education Board will be considered. It is necessary to bring the original experience certificate as per proforma Annexure I at the time of scrutiny.

Teaching experience must be countersigning:

- 1. The experience certificate of teaching in Govt./Govt. Aided recognized or affiliated CBSE/ISCE/PSEB or its equivalent Education Board) is to be signed by the concerned District Education Officer.*
- 2. Experience must be after acquiring B.Ed/M.Ed. qualification.*
- 3. It must be clearly stated in the Experience Certificate that the candidate has worked against a particular post.*
- 4. The School must have recognition for Middle/High/Sr. Secondary level during the period the experience certificate has been issued.”*

4. The petitioner claims that he possessed teaching experience from Maha Laxmi ETT and Research Institute, Tehsil and District, Kathua while teaching there from 01.04. 2006 to 31.03.2007 and from Nar Singh Dev Institute Kathua, Jammu & Kashmir with effect from 01.04.2007 to 30.11.2013 as PGT Hindi and for officiating as a Principal in the said Institute for the said period.

5. The question that arise before this court for adjudication is “Whether the petitioner fulfills the condition of having the teaching experience as per the recruitment notice or not?

6. From the careful reading of the recruitment notice, it is evident that the experience of teaching of Master/Mistresses/Lecturer School cadre for teaching 6th to 12th Classes in Government/Government Aided Schools recognized and affiliated to CBSE/ISCE/PSEB or its equivalent Education Board was required to be considered while appointing them. As already noticed, the petitioner possesses the experience from the Elementary Teacher Training Institute and not from any School recognized by the Educational Boards.

7. The learned counsel representing the petitioner contends that the lecturer working in a School can be transferred to the District Institute of Education and Training(DIET) and therefore the experience of a lecturer in a Elementary Teacher Training Institute is equivalent to teaching 6th to 10th classes in a School. The learned counsel representing the petitioner contends that the petitioner is working as a Post Graduate Teacher in the Elementary Teachers Training Institute.

8. This court has considered and analyzed the submissions made by the learned counsel representing the petitioner but has expressed inability to accept the said contentions.

9. The recruitment notice specifically requires that the candidates for the post of Headmaster should possess the teaching experience as Master/Mistresses/Lecturer School Cadre for teaching 6th to 12th classes. The petitioner was teaching in an Elementary Teachers Training Institute and not in a school.

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

11. Dismissed.

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

February 14, 2023
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(ANIL KSHETARPAL)
JUDGE

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