

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1354-2023 (O&M)

Date of decision: 22.09.2023

Megha

....Appellant

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Brijesh Kumar, Advocate,
for the appellant.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral)

1) This appeal has been filed by the appellant being aggrieved by the order dated 12.09.2023, passed by the learned Single Judge in CWP-20004 of 2023, vide which writ petition filed by her has been dismissed.

2) Briefly stated, the appellant filed the writ petition for quashing the condition enumerated in advertisement No.26 of 2023, dated 24.06.2023 (P-5), whereby the candidates, who had even applied pursuant to the earlier advertisement No.32 of 2022, dated 19.11.2022 (P-1), were required to apply afresh. The said condition was challenged on the ground that the appellant, in response to the advertisement dated 19.11.2022, had applied for appointment to the post of Post Graduate Teacher (PGT). Subsequently, the authorities withdrew the said advertisement and issued a fresh one, on 24.06.2023, and required all the candidates to apply afresh. However, as the appellant failed to take note of the said condition, she did not apply. Therefore, a direction was also prayed for, requiring the respondents to consider the online applications submitted by the candidates, who had already applied in response to the earlier advertisement dated 19.11.2022, including the appellant.

3) The learned Single Judge dismissed the writ petition on account of the fact that the last date for submission of the application forms, in response to the advertisement dated 24.06.2023, was

18.07.2023. And concededly, by that date, the appellant did not submit her application form. Further, as regards the plea of ignorance claimed by the appellant, the learned Single Judge rejected the same, observing that she could not be permitted to submit the application form beyond the cut-off date. For, in view of the law laid down in **Annu Vs. State of Haryana and others (CWP-5864-2023)**, the cut-off date for submission of application forms cannot be extended on such ground.

4) At this stage, learned counsel for the appellant submits that the learned Single Judge failed to take into consideration the fact that appellant possess all the requisite qualifications, and fulfills the eligibility criteria prescribed in the advertisement. Therefore, merely because she failed to apply afresh, her candidature could not have been rejected.

5) Having heard learned counsel for the appellant, we are of the considered opinion that no fault can be found with the conclusion recorded by the learned Single Judge. The condition in Note: (i), in the advertisement dated 24.06.2023, clearly stipulated that the candidates, who had applied earlier pursuant to the advertisement dated 19.11.2022, were also required to apply afresh by the cut off date. Admittedly and indisputably, the appellant did not apply. In such circumstances, the argument that appellant possesses all the necessary qualifications and meets the eligibility criteria pales into insignificance.

6) In such circumstances, we do not find any illegality or perversity in the impugned order and judgment, warranting interference by this Court. Accordingly, the appeal being devoid of any merit is dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

September 22, 2023
Ak Sharma

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