

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

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**CWP-24482 of 2022 (O&M)
Date of decision: 13.01.2023**

Rajesh Kumar

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.K.Arora, Advocate,
for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

1. The petitioner prays for the issuance of a writ in the nature of certiorari to quash the orders dated 04.01.2021 and 13.04.2022.
2. The relevant facts, in brief, are required to be noticed.
3. Pursuant to the recruitment notices, the petitioner applied for appointment as the Lecturer of Physics subject as well as in the Master cadre by separate applications. He was selected as a Master, however, his claim for appointment as the Lecturer of Physics subject was not accepted by the concerned authority. He filed a Civil Writ Petition No.8836 of 2011 (**Rajesh Kumar vs. State of Punjab and others**) which was disposed of on 19.05.2011 by directing the respondents to consider the petitioner's representation. The same was considered and rejected, resulting in filing of the Civil Writ Petition No.812 of 2013. The writ petition was allowed on 22.10.2018. Thereafter, the petitioner was offered appointment as the Lecturer of Physics subject vide communication dated 29.10.2019 as per the prevalent policy.

4. It may be noted here that before the petitioner was offered appointment as a Lecturer, Physics, he earned promotion as a Lecturer with effect from 10.07.2016.

5. Mr. Inderpreet Singh Kang, Assistant Advocate General, Punjab, has informed the Court that the petitioner specifically refused to accept the offer to be appointed as the Lecturer, Physics through direct recruitment as he already stood promoted as such in the year 2016.

6. On the other hand, pursuant to the departmental inquiry, the petitioner's services as Lecturer, Physics from the promotion quota has been dispensed with. The petitioner has filed a separate petition to challenge the same.

7. The learned counsel representing the petitioner submits that the petitioner was offered appointment at a meagre salary of Rs.10300/- as per the policy adopted by the State, which stood quashed.

8. Be that as it may. Once the petitioner was offered an appointment as direct recruit but he refused to accept the same, the petitioner does not deserve any relief in this writ petition.

9. Hence, dismissed.

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

January 13, 2023

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*