

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14573-2000

Date of decision : 01.02.2024

Parminder Pal Singh and anotherPetitioners

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE NIDHI GUPTA

Present: None for the petitioners.

Mr. Navdeep Chhabra, Senior DAG, Punjab.

Mr. Shreesh Kakkar, Advocate, for
Mr. Kapil Kakkar, Advocate, for respondent No.4.

RITU BAHRI, ACTING CHIEF JUSTICE (Oral)

1. The petitioners filed this petition in the year 2000 seeking direction to the official respondents to place them in the Selection List for admission to Elementary Teachers' Training (ETT) Course for the Session 1999-2001, published on 21.10.2000.
2. It is stated that two seats in the General category were lying vacant, and petitioner No.1 belonging to General Category (Male) was placed in the waiting list at Serial No.2, whereas one seat in Backward Class (Female) category is lying vacant and petitioner No.2 belonging to the same category was placed in the waiting list at Serial No.1.
3. On notice of this petition, reply dated 05.02.2001 was filed on behalf of respondents No.1 and 2, stating that since 2% reservation for the wards of Teachers was quashed by this Court, as per the guidelines dated 02.08.1999 and 31.01.2000 issued by the Social Welfare Department, reservation for physically handicapped persons was increased from 1% to 3%, thereby increasing the total reservation to

50%. It has been further stated that out of 100 seats, 25 seats were reserved for General Male and 25 for General Female. However, due to non-availability of candidates belonging to some reserved categories, other than SC/ST, 08 extra seats were allotted to General Male. Thus, petitioner No.1 has no claim for extra seat. As regards petitioner No.2, it has been stated that due to non-joining of one candidate in the Backward Class category, petitioner No.2 was given admission vide office memo dated 23.11.2000.

4. In the present case, petitioner No.2 has already been granted admission and as per the facts stated in the reply filed on behalf of respondents No.1 and 2, since no vacant seat was lying in the General category, therefore, petitioner No.1, who was in the waiting list at Serial No.2, could not be granted admission. Even, no replication has been filed on behalf of petitioner No.1 and none is present on his behalf. Hence, as per the facts stated in the written statement, no cause of action survives to direct the official respondents to place petitioner No.1 in the Selection List for admission to ETT Course for the Session 1999-2001, published on 21.10.2000, when the students who got admission have already completed the Course in the year 2001, i.e. about 23 years back.

5. Petition is, accordingly, dismissed.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(NIDHI GUPTA)
JUDGE

February 01, 2024
ndj

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