

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14795-2000

Date of decision : 01.02.2024

Bachitar SinghPetitioner
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 petitioner.

Mr. Navdeep Chhabra, Senior DAG, Punjab.

Mr. Sushil Saini, Advocate, for respondent No.3.

RITU BAHRI, ACTING CHIEF JUSTICE (Oral)

1. The petitioner filed this petition in the year 2000 seeking direction to the official respondents to place him in the Selection List for admission to Elementary Teachers' Training (ETT) Course for the Session 1999-2001, published on 21.10.2000, as respondent No.3, who was selected in the category of Border Area Code 064, was younger to the petitioner.
2. On notice of this petition, reply dated 30.01.2001 was filed on behalf of respondents No.1 and 2, stating that the petitioner with 132 marks was placed in the waiting list of Border/Bet/Backward area category. As per the prospectus, 48% seats were reserved for various categories. Since 2% reservation for the wards of Teachers was quashed by this Court in CWP No. 10508 of 1998, titled as "Gurinder Kaur Vs. State of Punjab", 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 2% seats were reserved for the candidates of Border/Bet/Backward area. Out of 125 seats, one seat was given to male and one to female. The petitioner and respondent No.3, both secured 132 marks. However, respondent No.3, being higher in age, was rightly given admission and the petitioner being younger to respondent No.3 was placed in the waiting list. Hence, the ratio of 50:50 was maintained, while preparing the merit list.

3. In the present case, respondent No.3 was admitted for the Course in the year 2000. Even no replication has been filed by the petitioner 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 him in the Selection List for admission to ETT Course for the Session 1999-2001, published on 21.10.2000, when respondent No.3, who got admission has already completed the Course in the year 2001, i.e. about 23 years back.

4. 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