

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16707-2000

Date of decision : 01.02.2024

Pradeep Kaur
.....Petitioner
Versus
State of Punjab and others
....Respondents

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.

RITU BAHRI, ACTING CHIEF JUSTICE (Oral)

1. The petitioner filed this petition in the year 2000 seeking quashing of the selection of respondents No.4 and 5 for Elementary Teachers Training (ETT) Course for the Session 1999-2001, alleging that they were selected in the category of Handicapped Code 068 against the policy of reservation mentioned in the prospectus of ETT Course Session 1999-2001.
2. On notice of this petition, reply dated 02.02.2001 was filed on behalf of respondents No.1 to 3, stating that the petitioner with 134 marks was placed at serial No.3 in the waiting list of female General category candidates, whereas respondents No.4 and 5 were selected in the category of physically handicapped. The result of the Entrance Test of

ETT Course for the session 1999-2001 was published on 01.05.2000. Thereafter, as per the directions of this Court in CWP No. 6472 of 2000, titled as “Nisha Goyal and others Vs. State of Punjab”, result was re-casted on 01.06.2000 and 17.07.2000. After considering all the candidates first in the open category, the result was again published on 24.07.2000. After exhausting the general candidates seats, candidates of reserved categories were placed in the respective reservation claimed by them. 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 keeping in view the fact that 50% seats have been reserved for General category candidates, 37 candidates of General category candidates in District Amritsar were entitled for selection. However, on account of non-availability of suitable candidates of some reserved categories, 06 more seats were transferred to General female category, thereby increasing their number to 43. Thus, the petitioner was rightly placed at Serial No.3 in the waiting list.

3. In the present case, respondents No.4 and 5 were admitted for the Course in the year 2000. Even no replication has been filed by the petitioner and none is present on her behalf. Hence, as per the facts stated in the written statement, no cause of action survives to quash the

selection of respondents No.4 and 5, when they have 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