

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(118)

LPA-909-2023 (O&M)
Decided on : 06.02.2024

Dr. Arjun Singh

.....Appellant(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA,
ACTING CHIEF JUSTICE
HON'BLE MS.JUSTICE LAPITA BANERJI

Present: Mr. Vivek Sharma, Advocate for the appellant (s).

G.S. Sandhawalia, ACJ (Oral)

CM-2336-LPA-2023

Application for condonation of delay of 28 days in re-filing the appeal, is allowed, in view of the averments made in the application, duly supported by affidavit of the appellant. Delay of 28 days in re-filing the appeal is condoned.

CM stands disposed of.

LPA-909-2023

The present letters patent appeal is directed against the order dated 14.02.2023 passed by the learned Single Judge in CWP-22099-2014 filed by the appellant, wherein challenge had been made unsuccessfully to the result of selection to the post of Headmasters declared on 16.10.2014.

2. The learned Single Judge has found that the writ petitioner did not possess the requisite teaching experience as a Master in the School Cadre for teaching 6th to 12th Class. Admittedly his teaching experience was of a Lecturer in the Elementary Teacher Training Institute and not in the school.

The advertisement which was in question provides that the teaching experience as Master in the School Cadre from 6th to 12th Class in Government/Government Aided Schools recognized and affiliated to CBSE/ISCE/PSEB or its equivalent education board was the requirement for selection.

3. Thus, in the absence of the said experience from the said schools, the case of writ petitioner was not considered and, therefore, the argument which has been now raised that he was higher in merit than the one selected is not liable to be accepted. The objection as such which had been put on the case of the writ petitioner was that the experience certificate given by him was signed by the Chief Education Officer, whereas as per requirement it was to be signed by the concerned District Education Officer as per the advertisement.

4. In such circumstances, once there was lack of eligibility of the recruitment notice, we do not find any plausible reason to entertain the present letters patent appeal and the same is, accordingly, dismissed in limine.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

(LAPITA BANERJI)
JUDGE

06.02.2024
Naveen

Whether speaking/reasoned :	Yes	
Whether Reportable :		No