

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205

CWP-22083-2014 (O&M)
Date of decision: 23.04.2024

Shagan Lal

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Namit Gautam, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed for directing the respondents to call the petitioner for interview for the post of PGT (History) under the BC Category.
2. Learned counsel would contend that the petitioner who had applied for the post of PGT (History) under BC Category as also under Physically Handicap Ortho Category, was not called for interview, despite having stood 7th in the merit list, Annexure P-6, which was due to the fact that he has done his MA from Rajasthan, hence was not as per the UGC guidelines. However, one candidate- Sudhir Jain, had been selected for the post of Headmaster, in spite of having done his post graduation from the very same University.
3. Learned State counsel, while referring to an affidavit dated 06.10.2015 filed by Balbir Singh, PCS, Director Public Instructions (Secondary Education) Punjab, Mohali, stated that the resident as also the backward class certificates were not submitted in a timely manner. In addition thereto, neither the post graduation degree obtained by the petitioner through Distance Education Mode, was valid as per UGC guidelines, nor was Sudhir Jain selected.

5. Notably, the petitioner was not called for the interview on the grounds that *firstly*, the requisite documents, namely residence and Backward Class certificates, possessed by him were issued on 25.07.2014 by the competent authorities, therefore he did not fulfil the required conditions, before the last date of submission of form, which was 27.11.2013; *secondly*, the post graduation degree obtained by the petitioner was through distance education and thus not in compliance with the UGC guidelines; and *thirdly*, the plea of seeking parity with similarly situated candidate has also been duly dispelled, since the said person was not even appointed being lower in merit than the last selected person in the category. Consequently, attributing to the aforesaid discrepancies, his candidature was rightly rejected, being not in accordance with the selection criteria and merit standards set by the Education Recruitment Board.
6. As a fall out and consequence of the afore-discussion, when the foundation for challenging an action is precarious, the case itself collapses.
7. In the wake of above, the present petition being bereft of merits, is hereby dismissed.

23.04.2024
M.Kamra

Whether speaking/reasoned
Whether reportable

(AMAN CHAUDHARY)
JUDGE

: Yes / No
: Yes / No