

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

.....Respondent(s)

SAPNA GOYAL
2024.10.25 12:19
I attest to the accuracy and
integrity of this document

account at the time of his selection and appointment but now the said fact has been disputed by the respondents so as to terminate the services of the petitioner while passing the impugned order dated 21.10.2014 (Annexure P-4).

Learned counsel for the petitioner submits that the petitioner is to treated as eligible for all intents and purposes hence, the order terminating the services of the petitioner dated 21.10.2014 (Annexure P-4) is liable to be set aside.

Learned counsel appearing on behalf of the respondents submits that prior to 06.06.2011, Punjabi Parbodh was being taken into account as a valid qualification equivalent to the passing of Punjabi at matric level to treat the candidates eligible but, after considering all the facts, instructions were issued on 06.06.2011, copy of which has been appended as Annexure P-8 that Punjabi Parbodh is found not to be equivalent to the Punjabi of matric level for recruitment of a teacher hence, the said qualification does not make a candidate eligible in case, the qualification of Punjabi upto matric level is an essential qualification to be eligible to be considered for selection to the particular post.

Learned counsel for the respondents submits that in fact, the selection of the petitioner is in pursuance to the Advertisement which is after 06.06.2011 hence, the petitioner cannot be treated ineligible.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

It is a conceded fact that the petitioner is claiming eligibility on the basis of qualification of “Punjabi Parbodh Examination of the Department of Punjab”, which qualification has already been treated as not

equivalent to the minimum qualification laid down for appointment to the post of Headmaster after instructions dated 06.06.2011.

Since June, 2011, the Punjabi Parbodh has not been treated as an equivalent qualification qua passing of Punjabi at matric level dated hence, the petitioner cannot be treated eligible for the post of Headmaster. Once, the State has already issued instructions 06.06.2011 (Annexure P-8) not to treat Punjabi Parbodh equivalent to the passing of Punjabi upto matric level, this Court cannot grant any relief to the petitioner.

Learned counsel for the petitioner has not been able to rebut the instructions Annexure P-8 as well as the order of rejection of claim by order Annexure R2/1.

Keeping in view of above, the petitioner cannot be treated eligible for appointment to the post of Headmaster and his services have rightly been terminated.

Hence, the present petition is dismissed.

Pending application, if any, also stands disposed of.

23-10-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
 Whether reportable: YES/NO