



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

**CWP-17119-2023 (O&M)  
Date of Decision : 20-11-2024**

**GOVIND GOYAL .....Petitioner  
VERSUS  
STATE OF PUNJAB AND ANOTHER .....Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Surinder Kumar, Advocate for the petitioner.  
Mr. T.P.S Chawla, Sr. DAG Punjab.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

In the present petition, the grievance being raised by the petitioner is that the petitioner has not been given additional marks for the Graduation which the petitioner completed before the culmination of the selection process and in case, the said marks are given, the petitioner will secure more marks than the last selected candidate to be selected against the post of ETT Teacher, which the petitioner completed in pursuance to the Advertisement dated 03.07.2021, copy of which has been appended as Annexure P-1.

Learned counsel for the petitioner submits that the petitioner was given 61 marks whereas, the last selected candidate has 63 marks but ,the petitioner has not been given 3 marks for the higher qualification of Graduation and in case, the same are given, the petitioner will secure

64 marks and will be within the zone of consideration for the selection and appointment to the post of ETT Teacher.

Upon notice of motion, the respondents have filed their reply. In the reply, the respondents have stated that the last date for filing up the application for the post in question was 12.09.2021. The petitioner filled up the form wherein, it has not been mentioned that the petitioner is Graduate.

Learned counsel for the respondent further submits that the petitioner only got the degree of Graduation on 08.10.2021, which is after the last date hence, the said qualification to seek more marks is not admissible in case of the petitioner.

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

In the present case, the petitioner has been evaluated keeping in view his qualification as on the last cut off date i.e. 12.09.2021. Concededly, the petitioner did not had the qualification of Graduation on the last date of the submission of the application form. Once, any qualification has been obtained after the last date, the same cannot be taken into consideration for the purpose of evaluating a candidate. The qualifications obtained by a candidate upto the last date are the requisite to see the eligibility and to evaluate his/her candidature.

It is a settled principle of law settled by the Hon'ble Supreme Court in Civil Appeal No. 7677 of 2021 titled "***The State of Bihar and ors. Vs. Madhu Kant Ranjan and ors.***" dated 16.12.2021. The relevant paragraph of the said judgment is as under:-

*"As per the settled proposition of law, a candidate/applicant has to comply with all the conditions/eligibility criteria as per the*

*advertisement before the cut-off date mentioned therein unless extended by the recruiting authority. Also, only those documents, which are submitted alongwith the application form, which are required to be submitted as per the advertisement have to be considered. Therefore, when the respondent No.1 - original writ petitioner did not produce the photocopy of the NCC 'B' certificate alongwith the original application as per the advertisement and the same was submitted after a period of three years from the cut-off date and that too after the physical test, he was not entitled to the additional five marks of the NCC 'B' certificate. In these circumstances, the Division Bench of the High Court has erred in directing the appellants to appoint the respondent No.1 - original writ petitioner on the post of Constable considering the select list dated 08.09.2007 and allotting five additional marks of NCC 'B' certificate."*

Learned counsel for the petitioner submits that the keeping in view the Pandemic of Covid-19, the result was delayed hence, he cannot be punished.

It may be submitted that there will be the candidates, who might not have been able to secure the minimum qualification for completion due to the Pandemic of Covid-19. A uniform criteria has been adopted to ensure the eligibility of a candidate upto the last date of the application form. Once, a uniform criteria has been applied on all the candidates competing for the post, the petitioner cannot be treated on a different footing so as to grant him a benefit of a qualification which he obtains after the last date of the application form.

No ground is made out for any interference in the present case.

Hence, the present petition stands dismissed.

Pending application, if any, also stands disposed of.

20-11-2024

Sapna Goyal

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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