

**CWP-29658-2017 (O&M)****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****212****CWP-29658-2017 (O&M)
Date of Decision :21.11.2024****Divya Middha****.. Petitioner****Versus****State of Punjab and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI****Present:** Mr. Amitoj Singh, Advocate for
Mr. Aminder Singh, Advocate for the petitioner.

Ms. Shruti, AAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, grievance being raised by the petitioner is that the petitioner was selected as E.T.T Teacher and appointment letter was issued to her on 23.12.2016 (Annexure P/1) but keeping in view the medical condition of the petitioner, the petitioner could not join the duty and hence, the petitioner be allowed to join her duties now.

Upon notice of motion, the respondents have filed reply wherein, it has been stated that in the appointment order dated 23.12.2016 (Annexure P/1), it was duly mentioned that in case, the candidate is agreeable for appointment, he/she should join within a period of seven days of the issuance of the appointment order but as the petitioner did not join, the candidate next in merit was considered for appointment hence, the petitioner cannot be allowed to approach this Court after a period of one year of issuance of appointment letter to claim the benefit of joining in pursuance to the appointment order Annexure P/1.

I have heard learned counsel for the parties and have gone



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through the record with their able assistance.

It is a conceded position that as per the appointment order dated 23.12.2016 (Annexure P/1), the petitioner was to join by 30.12.2016. Nothing has come on record that the petitioner ever informed about her medical condition which prohibited her from joining the post.

Learned counsel for the petitioner has not been able to point out any letter written by the petitioner describing her medical condition which prevented her from joining the duty.

Further, the medical certificate (Annexure P/3) which the petitioner has attached is only with regard to her treatment of infertility and that too which she had undergone on 10.01.2017, by which date, joining period mentioned in the appointment offered to the petitioner in pursuance to appointment order dated 23.12.2016 (Annexure P/1) had already expired.

Further, the petitioner filed the present petition in December, 2017 which also shows that the petitioner was not interested in joining the duties in pursuance to appointment order dated 23.12.2016 (Annexure P/1) within the time frame granted or that the petitioner was suffering with such medical ailment, which prohibited the petitioner from joining her duty upto 30.12.2016 especially, when all the post have already been filled up in accordance with merit.

Keeping in view the above, no ground for interference by this Court is made out and the present petition is accordingly dismissed.

Civil miscellaneous application pending, if any, is also disposed of.

November 21, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No