



CWP-22626-2024

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

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CWP-22626-2024

Date of Decision :09.09.2024

Jaswinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Hitesh Sood, Advocate for the petitioner.

Mr. Swapan Shorey, DAG, Punjab
(keeping in view advance copy served).

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Harsimran Singh Sethi, J. (Oral)

In the present petition, grievance being raised by the petitioner is qua impugned order dated 22.04.2024 (Annexure P/14) by which, prayer of the petitioner for consideration of his claim qua the post of Punjabi Master has been rejected by the respondents.

Learned counsel for the petitioner concedes the fact that to become eligible to be considered for the post of Punjabi Master an employee has to have passed the Punjab State Eligibility Test (PSET) and when the post were advertised by the respondents in the year 2017, the petitioner did not had the said qualification.

The only argument raised by the learned counsel for the petitioner is that by the Notification dated 12.10.2020 (Annexure P/9) issued by the respondents, an exemption has been granted from passing the

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Punjab State Eligibility Test (PSET) hence, even for the selection, which was made in the year 2017, the petitioner should be treated eligible.

I have heard learned counsel for the petitioner and have gone through the record with his able assistance.

Once, it is a conceded position that as per the qualifications mentioned in the advertisement, the petitioner was not eligible to compete for the post in question as the petitioner did not had the minimum qualification required to compete for the post in question merely, that after the selection process was over, the respondent-State by Notification dated 12.10.2020 (Annexure P/9) has given an exemption from passing the said test, the same cannot be applied retrospectively to the selection, which has already been completed.

The selection is to be done as per the qualification mentioned in the advertisement coupled with the qualification mentioned in the rules governing the service. Once, on the date when the advertisement was issued, the petitioner did not had the requisite qualification of passing Punjab State Eligibility Test (PSET), the benefit of the instructions, which was issued on 12.10.2020 (Annexure P/9) cannot be extended to the petitioner by operating the said instructions retrospectively.

Keeping in view the facts and circumstances recorded hereinbefore, no ground for interference by this Court is made out and the present writ petition is accordingly dismissed.

September 09, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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