

**CWP-25839-2024****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****(138)****CWP-25839-2024****Date of Decision : October 04, 2024****Inderjeet Singh****.. Petitioner****Versus****State of Punjab and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Baljinder Singh, Advocate, and
Mr. Jagtar Kureel, Advocate, for the petitioner.

Mr. Satnam Preet Singh, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance of the petitioner is that the petitioner competed for the post of Master cadre in the subject of Social Science as advertised by the respondents vide Advertisement dated 08.01.2022 (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner was called for the written examination for which the petitioner appeared and secured 107 marks (Annexure P-3).

3. Learned counsel for the petitioner further submits that thereafter the petitioner was called for scrutiny and the petitioner appeared after which the final result was declared, the petitioner has been treated ineligible on the ground that on the last date of application form, passing of the Punjab State Teacher Eligibility Test was a mandatory condition which test the petitioner had only passed after the last date.

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4. Learned counsel for the petitioner further submits that the petitioner appeared in the Punjab State Teacher Eligibility Test in the year 2018 and in the result which was declared on 23.03.2020, the petitioner had secured 89 marks whereas 90 marks were required to qualify the same but thereafter, certain writ petitions were filed for revising the said result and the revision of the result entitled the petitioner 90 marks though the same was after the selection process was over but as the petitioner had appeared in the eligibility test in the year 2018, the petitioner is deemed to be qualified retrospectively.

5. Keeping in view the advance copy given, Mr. Satnam Preet Singh, learned Deputy Advocate General, Punjab has appeared and submitted that there is no provision of retrospective qualification. Learned State counsel submits that on the last date of submission of application form, as per the result of the petitioner which existed, the petitioner was not qualified the Punjab State Teacher Eligibility Test and it is only after the selection was over, the petitioner's result had been revised.

6. Learned State counsel further submits that the said revised result can only operate prospectively and not with regard to the selection, which has already been competed and over and therefore, the claim of the petitioner that he should be treated eligible qua the advertisement dated 08.01.2022 (Annexure P-1) is liable to be rejected.

7. I have heard learned counsel for the parties and have gone through the record with their able assistance.

8. The eligibility is to be seen on the last date of the application form. It is a conceded fact that on the last date of application form, the petitioner had not passed the Punjab State Teacher Eligibility Test, which is

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one of the mandatory condition to be eligible. That being so, the petitioner cannot claim the eligibility qua the Advertisement dated 08.01.2022 (Annexure P-1).

9. The petitioner's result was only revised in the year 2020 much after the selection was over hence, the revised result can only be made operative prospectively as the petitioner cannot be made eligible from retrospective effect especially that the selection, in which the petitioner is claiming eligibility, has already been concluded.

10. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

11. Dismissed.

October 04, 2024*harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No