

CWP No. 29337 of 2024 (O&M) and
other connected cases

2024:PHHC:167276



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Sr. No. 116+220+227+248+249+251+252)

(116) CWP No. 29337 of 2024 (O&M)
Date of Decision : 26.11.2024

Parveen Kumar ...Petitioner

Versus

State of Punjab and others ...Respondents

(220) CWP No. 10770 of 2018 (O&M)

Harpreet Kaur ...Petitioner

Versus

State of Punjab and others ...Respondents

(1) CWP No. 6007 of 2020 (O&M)

Sewak Pal Singh and others ...Petitioners

Versus

State of Punjab and others ...Respondents

(2) CWP No. 10793 of 2024 (O&M)

Harpreet Kaur and others ...Petitioners

Versus

State of Punjab and another ...Respondents

(3) CWP No. 10800 of 2018 (O&M)

Avtar Singh and another

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...Petitioners

Versus

State of Punjab and others

...Respondents

(4)

CWP No. 1123 of 2021 (O&M)

Kulwinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(5)

CWP No. 11787 of 2020 (O&M)

Sandeep Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(6)

CWP No. 12417 of 2020 (O&M)

Navneet and others

...Petitioners

Versus

State of Punjab and another

...Respondents

(7)

CWP No. 1250 of 2021 (O&M)

Baljit Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

(8)

CWP No. 12925 of 2020 (O&M)

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Madhu Bala and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(9)

CWP No. 12931 of 2020 (O&M)

Kirandeep Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(10)

CWP No. 13192 of 2020 (O&M)

Amandeep Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(11)

CWP No. 13824 of 2020 (O&M)

Anuradha and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(12)

CWP No. 13909 of 2021 (O&M)

Shalika and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(13)

CWP No. 13934 of 2020 (O&M)

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Davinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(14)

CWP No. 13937 of 2020 (O&M)

Bhavna

...Petitioner

Versus

State of Punjab and others

...Respondents

(15)

CWP No. 14042 of 2021 (O&M)

Surjeet Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(16)

CWP No. 14572 of 2020 (O&M)

Manpreet Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(17)

CWP No. 14651 of 2021 (O&M)

Harvinder Kaur

...Petitioner

Versus

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...Respondents

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(18) 5
CWP No. 14875 of 2021 (O&M)

Monika Devgan
...Petitioner

Versus

State of Punjab and another
...Respondents

(19) CWP No. 15093 of 2020 (O&M)

Amandeep Kaur and others
...Petitioners

Versus

State of Punjab and others
...Respondents

(20) CWP No. 15127 of 2022 (O&M)

Sukhpreet Kaur and others
...Petitioners

Versus

State of Punjab and another
...Respondents

(21) CWP No. 15738 of 2021 (O&M)

Mandeep Kaur
...Petitioner

Versus

State of Punjab and others
...Respondents

(22) CWP No. 1607 of 2021 (O&M)

Bharpur Singh and others
...Petitioners

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...Respondents

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(23) CWP No. 16152 of 2020 (O&M)

Rajni Rani ...Petitioner

Versus

State of Punjab and others ...Respondents

(24) CWP No. 1622 of 2018 (O&M)

Pardeep Kumar and others ...Petitioners

Versus

State of Punjab and others ...Respondents

(25) CWP No. 16243 of 2021 (O&M)

Raja Robin ...Petitioner

Versus

State of Punjab and others ...Respondents

(26) CWP No. 16248 of 2021 (O&M)

Manbir Kaur ...Petitioner

Versus

State of Punjab and others ...Respondents

(27) CWP No. 16895 of 2020 (O&M)

Daljit Singh ...Petitioner

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...Respondents

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CWP No. 16922 of 2020 (O&M)

Nirmal Singh and others

...Petitioners

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State of Punjab and others

...Respondents

(29)

CWP No. 16905 of 2020 (O&M)

Geetanjali Sharma and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(30)

CWP No. 16950 of 2021 (O&M)

Shabbiran and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(31)

CWP No. 1715 of 2021 (O&M)

Rajwant Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(32)

CWP No. 17195 of 2021 (O&M)

Punamdeep Kaur

...Petitioner

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State of Punjab and others

...Respondents

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CWP No. 17631 of 2020 (O&M)

Parveen Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

(34)

CWP No. 18101 of 2020 (O&M)

Gurmail Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(35)

CWP No. 18706 of 2023 (O&M)

Jatinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

(36)

CWP No. 19087 of 2021 (O&M)

Paramjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

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CWP No. 19226 of 2021 (O&M)

Lovejeet Singh and another

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State of Punjab and another

...Respondents

(38)

CWP No. 1926 of 2023 (O&M)

Manjeet Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(39)

CWP No. 19449 of 2020 (O&M)

Gurvinder Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(40)

CWP No. 2008 of 2021 (O&M)

Mandeep Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(41)

CWP No. 20086 of 2021 (O&M)

Mamta Rani

...Petitioner

Versus

State of Punjab and others

...Respondents

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CWP No. 20745 of 2021 (O&M)

Beenu Rani

...Petitioner

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State of Punjab and another

...Respondents

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CWP No. 20795 of 2023 (O&M)

Harpreet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(44)

CWP No. 20803 of 2023 (O&M)

Sarbjit Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(45)

CWP No. 21232 of 2020 (O&M)

Manpreet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(46)

CWP No. 21552 of 2020 (O&M)

Amarjit Singh

...Petitioner

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State of Punjab and another

...Respondents

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CWP No. 21664 of 2021 (O&M)

Rama Rani

...Petitioner

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State of Punjab and others

...Respondents

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CWP No. 21915 of 2020 (O&M)

Manpreet Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(49)

CWP No. 21926 of 2020 (O&M)

Mandeep Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(50)

CWP No. 21963 of 2020 (O&M)

Rajpal Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(51)

CWP No. 22022 of 2020 (O&M)

Manjeet Kaur and another

...Petitioners

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State of Punjab and others

...Respondents

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CWP No. 22081 of 2020 (O&M)

Sandeep Kaur and others

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Versus

State of Punjab and others

...Respondents

(53)

CWP No. 22127 of 2021 (O&M)

Manjeet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(54)

CWP No. 22144 of 2020 (O&M)

Sania and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(55)

CWP No. 22153 of 2020 (O&M)

Jasneet Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

(56)

CWP No. 22303 of 2020 (O&M)

Ritu Bala and others

...Petitioners

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...Respondents

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CWP No. 22374 of 2020 (O&M)

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Shinu Gupta

...Petitioner

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State of Punjab and others

...Respondents

(58)

CWP No. 22688 of 2020 (O&M)

Deepak Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

(59)

CWP No. 22691 of 2021 (O&M)

Harpreet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(60)

CWP No. 22714 of 2020 (O&M)

Amandeep Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

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CWP No. 22734 of 2023 (O&M)

Himmat Kaur Rai

...Petitioner

Versus

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CWP No. 2318 of 2022 (O&M)

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Menka Rani

...Petitioner

Versus

State of Punjab and others

...Respondents

(63)

CWP No. 23442 of 2021 (O&M)

Veerwati

...Petitioner

Versus

State of Punjab and others

...Respondents

(64)

CWP No. 26722 of 2017 (O&M)

Rekha and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(65)

CWP No. 26816 of 2017 (O&M)

Sukhpal Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(66)

CWP No. 26864 of 2017 (O&M)

Jagwinder Singh and another

...Petitioners

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State of Punjab and others

...Respondents

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CWP No. 27292 of 2017 (O&M)

Ranjeev Kumar and others
...Petitioners

Versus

State of Punjab and others
...Respondents

(68) CWP No. 27317 of 2022 (O&M)

Charanjit Kaur
...Petitioner

Versus

State of Punjab and others
...Respondents

(69) CWP No. 2764 of 2018 (O&M)

Reetu Bala
...Petitioner

Versus

State of Punjab and others
...Respondents

(70) CWP No. 29278 of 2017 (O&M)

Sanjeev Kumar
...Petitioner

Versus

State of Punjab and others
...Respondents

(71) CWP No. 3170 of 2021 (O&M)

Navdeep Kaur
...Petitioner

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...Respondents

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(72)

CWP No. 3615 of 2021 (O&M)

Gurdeep Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

(73)

CWP No. 3856 of 2021 (O&M)

Reeta Rani

...Petitioner

Versus

State of Punjab and others

...Respondents

(74)

CWP No. 3934 of 2021 (O&M)

Rekha Rani and another

...Petitioners

Versus

State of Punjab and another

...Respondents

(75)

CWP No. 4688 of 2023 (O&M)

Nancy

...Petitioner

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State of Punjab and another

...Respondents

(76)

CWP No. 5238 of 2018 (O&M)

Jaspreet Singh

...Petitioner

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State of Punjab and others

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...Respondents

(77)

CWP No. 532 of 2021 (O&M)

Parveen Rani and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(78)

CWP No. 5415 of 2020 (O&M)

Bikram Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(79)

CWP No. 5995 of 2020 (O&M)

Rakesh Kumar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(80)

CWP No. 6892 of 2018 (O&M)

Sukhvinder Kaur

...Petitioner

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State of Punjab and others

...Respondents

(81)

CWP No. 10955 of 2018 (O&M)

Balvinder Kumar

...Petitioner

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State of Punjab and others

...Respondents

(82)

CWP No. 7284 of 2021 (O&M)

Manjinder Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

(83)

CWP No. 8849 of 2024 (O&M)

Kuldeep Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(84)

CWP No. 9306 of 2021 (O&M)

Balwant Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(85)

CWP No. 932 of 2021 (O&M)

Satwant Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(86)

CWP No. 9873 of 2020 (O&M)

Inderpal and others

...Petitioners

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State of Punjab and others

...Respondents

(227)

CWP No. 23585 of 2018 (O&M)

Rajinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

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CWP No. 22191 of 2020 (O&M)

Seema Rani

...Petitioner

Versus

State of Punjab and others

...Respondents

(249)

CWP No. 22228 of 2020 (O&M)

Chander Kanta

...Petitioner

Versus

State of Punjab and others

...Respondents

(251)

CWP No. 3178 of 2021 (O&M)

Surinder Pal Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(252)

CWP No. 4742 of 2021 (O&M)

Nirankar Singh

...Petitioner



Versus

State of Punjab and others

...Respondents

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

Present: Mr. Abhishek Masih, Advocate for
Mr. Bikramjit Singh Patwalia, Advocate with
Mr. J.S. Mundi, Advocate for the petitioners
(in CWP-6007-2020).

Mr. Armaan Dahiya, Advocate for
Mr. Adityajit Singh Chadha, Advocate
for the petitioner(s) in CWPs-9873, 13824 & 14572-2020).

Mr. Gaurav Chopra, Senior Advocate with
Ms. Gauri C. Kaushal, Advocate
for the petitioner(s) in CWP-15093-2020)

Mr. Mandeep Singh, Advocate for the petitioner
in CWP-10793-2024.

Ms. Suniana, Advocate for Mr. H.C.Arora, Advocate
for the petitioner(s) in CWP-1622-2018, CWP-26722-2017,
CWP-26816-2017, CWP-26864-2017, CWP-27292-2017,
CWP-29278-2017, CWP-5238-2018, CWP-11787-2020,
CWP-23442-2021, CWP-5415-2020 and CWP-4742-2021.

Mr. Sukhdev Raj Kamboj, Advocate
for the petitioner(s) in CWP-12925, 12931, 16922, 21915,
22191, 21926, 21963, 22022, 22081, 22228, 17631 and 16895 of
2020 and CWP-3170, 3856, 17195 and 22127 of 2021.

Mr. Ishan Thakur, Advocate for
Mr. L.S. Sidhu, Advocate
for the petitioner (in CWP-22688-2020)

Mr. M.S. Dua, Advocate
for the petitioner (in CWP-19449 of 2020).

Mr. B.N.S. Marok, Advocate for the petitioner
in CWP-20795-2023 and CWP-20803-2023.

Mr. J.S. Brar, Advocate
for the petitioner in CWP-22734-2023.

Mr. Shreesh Kakkar, Advocate for



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Mr. Kapil Kakkar, Advocate
for the petitioner (in CWP-2764-2018)

Mr. Sanjeev Patiyal, Advocate
for the petitioner (in CWP-532 of 2021).

Mr. Parminder Singh, Advocate
for the petitioner(s) (In CWP-22153-2020).

Mr. Puneet Sharma, Advocate for
Mr. Vishal Sharma, Advocate
for the petitioner (in CWP-13937 and 21232 of 2020).

Mr. Puneet Kumar Bansal, Advocate
for the petitioner(s) in CWP-16152-2020.

Mr. Arminderjit Singh Sandhu, Advocate
for the petitioner (in CWP-1123-2021)

Mr. J.K.Khetarpal, Advocate
for the petitioner (in CWP-27317 of 2022).

Mr. N.K. Ganga, Advocate
for the petitioner(s) (in CWP-21664-2021).

Mr. Lalit Singla Advocate
for the petitioner(s) (in CWP-20086-2021).

Mr. J.S. Mundi, Advocate
for the petitioner(s) in CWP-21552-2020.

Mr. Sanjeev Kumar, Advocate
for the petitioner in CWP-15127-2022.

Mr. Nitesh Singla, Advocate
for petitioner(s) (in CWP-14651-2021).

Mr. Rajnish K. Gupta and Mr. Sachin, Advocates
for petitioner(s) (in CWPs-6892, 10770, 10800 & 10955-2018).

Mr. Vivek Singla, Advocate
for the petitioner(s) in CWP-932-2021).

Mr. Pawan Kumar, Advocate
for the petitioner(s) (in CWPs-19087 & 2008 of 2021)

Mr. Vishal Mittal, Advocate
for the petitioner(s) (in CWPs-12417, 22303, 22714-2020,



CWPs-7284, 1250, 3934, 3615, 13909, 19226, 14875, 16950, 20745-2021, CWP-2318-2022, CWP-4688-2023).

Mr. Pardeep Singh Mirpur, Advocate
for the petitioner(s) in CWPs-13192, 13934, 18101, 22144, 5995-2020, CWPs-1715, 1607, 9306, 14042, 15738, 16248, 16243, 22691-2021 and CWP-1926-2023).

Mr. Gurbhej Singh, Advocate
for petitioner No. 4 in CWP-5995-2020.

Mr. Amit Sharma (Kanan), Advocate with
Mr. Ajay Sharma, Advocate
for the petitioner(s) in CWP-22374-2020).

Mr. L.S. Virk, Advocate for respondent No.5.
(in CWP-22374-2020)

Ms. Rupinder Kaur Thind, Advocate
for the petitioner(s) in CWP-8849-2024.

Mr. Pawan Kumar Mutneja, Senior Advocate with
Mr. Suverna Mutneja, Advocate and
Mr. Vishesh Bhatia, Advocate
for the petitioner(s) in CWP-23585-2018.

Mr. Sunny Singla, Advocate and
Ms. Riti Aggarwal, Advocate
for the petitioner(s) in CWP-16905-2020, CWP-18706-2023, CWP-29337-2024 and CWP-3178-2024.

Mr. T.P.S. Chawla, Senior Deputy Advocate General, Punjab.

Mr. Swapan Shorey, Deputy Advocate General, Punjab.

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

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.

Mr. Karan Sharma, Advocate for
Mr. Ranjit Singh Kalra, Advocate
for the respondents in CWP-4742-2021.



Harsimran Singh Sethi J. (Oral)

1. By this common order, a bunch of 93 writ petitions, the details of which have been given in the heading, are being decided as all these petitions involve the same question of law on similar facts.

2. The prayer being raised in the present petitions is that keeping in view the revised result of the Punjab State Teacher Eligibility Test, which was revised in the year 2017, the said revised result be taken into consideration to evaluate the merit of the petitioners in respect of the Advertisement in which they competed for the posts of Master/Mistress in various subjects and not on the basis of the marks given to them in the Punjab State Teacher Eligibility Test at the time of issuance of the Advertisement or upto the last date of submission of application forms.

3. Certain facts need to be mentioned for the correct appreciation of the issue in hand.

4. The petitioners competed for the post of Master/Mistress as advertised by the respondent-State. In some of the cases, the petitioners were competing against the Advertisement dated 07.05.2011 (Annexure P-1) and some of the petitioners were competing in respect of the posts, which were advertised later on upto the year 2015. As per the eligibility criteria mentioned in the Advertisement, apart from having certain academic qualifications, the candidates should have passed the Punjab State Teacher Eligibility Test so as to be considered eligible for the post in question. It is a conceded case between the parties that either the petitioners had not cleared the Punjab State Teacher Eligibility Test upto the last date of submission of the application form or the initial result of the Punjab State Teacher



Eligibility Test giving certain marks to the petitioners, as mentioned by them in the application was taken into account by the respondents to evaluate the claim of the petitioners. The petitioners were evaluated keeping in view the eligibility upto the last date of submission of the application form and the marks secured by the candidates in the Punjab State Teacher Eligibility Test upto the last date of submission of application form.

5. After the selection process culminated qua selection to the post for which the petitioners were competing , keeping in view the litigation pending, the State of Punjab revised the result of the Punjab State Teacher Eligibility Test in the year 2017. In the said revised result of the Punjab State Teacher Eligibility Test, certain petitioners cleared the same and became eligible to compete for the posts and in certain cases the marks secured by the candidates were enhanced in the revised result of the Punjab State Teacher Eligibility Test.

6. The prayer of the petitioners in the present petitions is that the claim of the petitioners for consideration of their claim for the posts of Master/Mistress, as advertised in the year 2011 or thereafter, though the selection has already been made qua the advertised posts but same should be done on the basis of the revised result of Punjab State Teacher Eligibility Test and not on the basis of their initial Punjab State Teacher Eligibility Test result, which was available upto the last date of application form.

7. Upon notice of motion, the respondents have filed the reply, wherein, the respondents have stated that at the time when the present petitions were filed or even the revised result of the Punjab State Teacher Eligibility Test was declared, the selection qua the advertised posts of the



Masters had already been finalized, hence, the revised result of the Punjab State Teacher Eligibility Test cannot be brought into operation with retrospective effect so as to re-consider the claim of the petitioners at the costs of the candidates, who had already been selected and appointed.

8. Learned counsel for the respondents submits the eligibility of a candidate is to be seen upto the last date of submission of the application form and keeping in view the result of the petitioners of the Punjab State Teacher Eligibility Test, as available upto the last date of submission of the application form, the claim of the petitioners have already been considered and they have been evaluated accordingly, hence, the revised result of the Punjab State Teacher Eligibility Test which only became available much after the culmination of the selection process, cannot be brought into operation with retrospective effect to re-consider the claim of the petitioners and that too at the cost of the candidates, who had already been selected and appointed upto the date of revised result of Punjab State Teacher Eligibility Test test.

9. Learned counsel for the respondents further submits that keeping in view the order passed by this Court in CWP No. 21108 of 2017 titled as ***Birinderjit Singh and others Vs. State of Punjab and others***, decided on 26.02.2019, a direction was given by this Court to constitute a Committee and decide the issue as to whether or not, any relief can be granted to the petitioners on the basis of the revised result of the Punjab State Teacher Eligibility Test as revised in the year 2017.

10. Learned counsel for the respondents submits that as per the recommendation of the High Level Committee, which decided the issue



under the Chairmanship of the Chief Secretary, the claim of the petitioners have already been rejected on 04.02.2020, wherein, it has been decided that the selection process has already been finalized and selected candidates have already joined, revised result of the Punjab State Teacher Eligibility Test cannot be brought into operation so as to consider the claim of the petitioners qua the selection process, which is already over and the petitioners can claim the benefit of the said revised result in the subsequent selection process as and when initiated.

11. Learned counsel for the petitioners submits that the benefit of the revised result of the Punjab State Teacher Eligibility Test has been given to one of the candidate, namely, Smt. Shamim Abdali, which is clear from Annexure P-15 attached with CWP No. 29337 of 2020, hence, the respondents are liable to consider the claim of the petitioners as well.

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

13. The question which arises for consideration of this Court is whether, the revised result of Punjab State Teacher Eligibility Test can be brought into operation so as to recalculate the merit of the petitioners in respect of the selection process, which has already been over.

14. As per the settled principle of law, the eligibility of a candidate is to be seen upto the last date of submission of the application form. It is a conceded position that on the last date of submission of the application form in the respective Advertisements qua the post of Master/Mistress, either the petitioners were not eligible having not passed the Punjab State Teacher Eligibility Test or they were having particular marks secured in the Punjab



State Teacher Eligibility Test, which fact was considered by the Selection Committee while evaluating the claim of the petitioners for the post in question hence, the petitioners cannot raise a claim that once their Punjab State Teacher Eligibility Test result was revised in the year 2017 though, after the conclusion of the selection process, the benefit of the same is still to be extended to them even qua the selection process which had attained finality.

15. As per the judgment of the Hon'ble Supreme Court of India in Civil Appeal No. 7677 of 2021 titled as ***The State of Bihar and others Vs. Madhu Kant Ranjan and another***, decided on 16.12.2021, the eligibility is to be seen on the last date of submission of the application form. The relevant paragraph 9 of the said judgment is as under :-

“9. 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.”



16. Once, the petitioners have been evaluated keeping in view their result of Punjab State Teacher Eligibility Test as on the last date of submission of the application form, the petitioners cannot claim the revision of the result on subsequent revision of their marks of the result of Punjab State Teacher Eligibility Test, which only came into existence after the completion of the selection process. The claim of the petitioners that their revised eligibility give them a right for consideration again cannot be accepted. The candidates, who have already been selected keeping in view their eligibility on the last date of submission of application form, cannot be made to suffer merely because the result of the Punjab State Teacher Eligibility Test of the petitioners have been revised after the completion of the selection.

17. Further, as per the terms and conditions of the Advertisement, the passing of the Punjab State Teacher Eligibility Test was sacrosanct. The petitioners who did not pass the Punjab State Teacher Eligibility Test upto the last date of submission of the application form, cannot claim eligibility on subsequent revision of the PSTET result. Once, the selection process is over, the subsequent revision of their result will not give a right to the petitioners either to be treated as eligible or for consideration of their claim afresh on the basis of the revised result of Punjab State Teacher Eligibility Test.

18. Further, as per the principle of law settled by this Court in CWP No. 25839 of 2024 titled as ***Inderjeet Singh Vs. State of Punjab and others***, decided on 04.10.2024, this Court has already held that the eligibility of a candidate is to be seen upto the last date of submission of the application form and any eligibility gained after the last date, will not give a right of



consideration to the petitioners, especially, when the selection process is already over.

19. Learned counsel for the petitioners have not been able to rebut the said principle of law, so as to claim the relief, as being prayed in the present petitions.

20. Keeping in view of the fact that once the petitioners have already been evaluated keeping in view their result of Punjab State Teacher Eligibility Test upto the last date of submission of the application form, no grievance can be raised by them so as to claim a fresh consideration upon the revision of their Punjab State Teacher Eligibility Test result after the selection process is over, hence, the said claim of the petitioners is not tenable and cannot be accepted and is accordingly rejected.

21. Further, in case the petitioners are now considered eligible, a large number of candidates who have already been selected and appointed, will be disturbed as the petitioners will be claiming selection/appointment in preference to them. None of the selected candidate of the said selection are party before this Court, hence, there is no ground is made out to upset the selection at the asking of the petitioners and that too wherein, the petitioners are seeking eligibility with retrospective effect qua Advertisement in pursuance to which, not only the selection has been finalized but appointment have also been made prior to the date when the petitioners gained eligibility through the revised result.

22. At this stage, learned counsel for the petitioners submit that the revised result of the PSTET shows that the petitioners cleared the Punjab State Teacher Eligibility Test in the first attempt itself and they cannot be



punished for the fault of the respondents. In case, the petitioners have any grievance against the department for wrongly declaring their result, they have the liberty to avail the appropriate remedy of seeking compensation against the department but the selection already made which involve the other candidates who are working for the last more than 10 years, cannot be re-considered in any manner.

23. Learned senior counsel appearing on behalf of the petitioner in CWP No.23585 of 2018 submits that the benefit of one mark which has been given to the petitioner in terms of the judgment of the Single Bench in CWP No.25300 of 2015 titled as ***Rajinder Singh and others vs. State of Punjab and others***, decided on 11.01.2017, the same should have been given to the petitioners while completing the selection in pursuance to the Advertisement dated 20.11.2015, a copy of which has been appended as Annexure P-5 with this writ petition.

24. The respondents on the other hand have mentioned that the petitioner did not submit any representation raising her claim till 03.11.2017 despite the fact that there was a judgment in her favour and the selection process for the post in question had already been over.

25. Keeping in view the said fact that the selection process had already been over and no candidate who is selected, is party as, in case the petitioners are granted the benefit, selected candidates will be ousted not only from the zone of selection but also from the appointment. In the absence of any such candidate being impleaded as a party coupled with the fact that the selection process had already been over, no ground is made out to grant the petitioners



the benefit of revised result of PSTET in a selection, which had already been over.

26. No ground is made out for any interference by this Court in the present petitions.

27. Dismissed.

28. Pending miscellaneous application including IOIN, if any, also stands disposed of.

29. A photocopy of this order be placed on the file of connected cases.

November 26, 2024
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

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