



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

112

CWP-32700-2024

Date of Decision: 16.12.2024

SUSHMA SHARMA

...Petitioner(s)

Versus

HARYANA KAUSHAL ROZGAR NIGAM

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Ranbir Singh Rawat, Advocate
for the petitioner.

Mr. R. S. Budhwar, Addl. A. G., Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondent to declare the petitioner's result for the post of Para-teaching Associate-PGT Sanskrit in response to advertisement dated 07.10.2022, Annexure P-5.

2. Learned counsel for the petitioner has contended that the petitioner was wrongly considered over-age by the respondents for the job role/post in question. She is a highly skilled person and entitled to the post with age relaxation in terms of applicable Service Rules/Haryana State Education School Cadre (Group-B) Service Rules, 2012. Rule 5 provide for relaxation in maximum prescribed age up to five years to the candidates who worked as teachers in privately managed Government aided/recognised or Government Schools. As per the experience certificate, dated 11.01.2017, Annexure P-3/A, the petitioner's qualifications include M.A. Sanskrit and B.Ed., and has worked as a Trained Graduate Teacher (TGT) in Sanskrit for



classes VI to X. Accordingly, she is entitled to age relaxation and has wrongly been considered over-age.

3. Learned State counsel, on instructions, contends that the petitioner applied for the post in question for which selection has been done in terms of Deployment of Contractual Persons Policy, 2022. Clause 8.4 thereof prescribes forty-two years as the maximum age for engagement under the Policy. Clause 8.5 requires that essential qualifications for the job roles will be as prescribed in Annexures. And Annexure-C (Job Roles of Level-III Posts) prescribes qualifications for Para-teaching Associates, for which the instant advertisement has been issued. At the time of applying for the post, the petitioner was over forty-four years of age, and her candidature was rightly not considered.

4. Heard.

5. The petitioner is an applicant for the post pursuant to advertisement, dated 07.10.2022, which is required to be filled in terms of the Deployment Policy, 2022. The maximum age for recruitment, in terms of Clause 8.4 thereof, is forty-two years. She undisputedly exceeded the age limit at the time of submitting the application. Her claim for age relaxation on the strength of statutory Service Rules for Group-B service in the State Education Department is not sustainable, since the post has been advertised for deployment as per the Policy. In terms of Clause 3(ii), the existing Service Rules/By-laws for State Government service have been made applicable only for the manpower engaged for skilled, highly skilled and/or administrative job roles above Level-III. Whereas Para-teaching Associate-PGT Sanskrit is Level-III job role, for which qualifications have been prescribed in



Annexure C, accordingly, the petitioner is not entitled to claim age relaxation on the strength of service Rules.

6. In view thereof, there is no ground to entertain the petition and it stands dismissed in *limine*.

(TRIBHUVAN DAHIYA)
JUDGE

16.12.2024
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>