



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CWP No. 32683 of 2024
Date of Decision : 04.12.2024

Jatinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Supinder Singh Sohi, Advocate for the petitioner.

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.
(Keeping in view advance copy given)

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the prayer of the petitioner is that the petitioner should be allowed another chance for scrutiny of the documents and should be brought in the waiting list so as to be considered for appointment to the post of ETT Teacher, which remains vacant out of the Advertisement dated 06.03.2020 (Annexure P-1).
2. Learned counsel for the petitioner submits that though the petitioner had secured higher marks but she could not appear for the scrutiny of the documents, which is not relevant, hence, her candidature is not being considered for appointment, whereas the petitioner was not medically fit at the relevant time when she was called for scrutiny of documents and, therefore, petitioner should also be given a chance to get the documents verify so as to be brought in waiting list to be considered for appointment against the unfilled/vacant post.
3. Keeping in view the advance copy given, the State has put in appearance, wherein the respondents have stated that the reason being given



for not attending the scrutiny i.e. the petitioner was not medically fit, is incorrect as the notice for scrutiny was given on 06.06.2024 and the scrutiny was to be done from 12.06.2024 till 20.06.2024, whereas the medical certificate which the petitioner has appended, only shows that she got admitted in the hospital on 06.07.2024 much after the date of scrutiny of the documents, hence, the plea being raised by the petitioner is only an after thought so as to join the proceedings, whereas as per the Advertisement, any candidate who does not appear for scrutiny, the candidature of the said candidate is to be cancelled.

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

5. As per the terms and conditions of the Advertisement, which are sacrosanct, the candidates were required to get their documents scrutinized before their selection and consequent appointment. The respondents had issued a notice on the website on 06.06.2024 asking the candidates upto a particular merit to get the documents scrutinized so that their claim for selection and appointment could be considered.

6. Concededly, the petitioner never appeared for the said scrutiny and her claim was not considered and the selection was finalized and the candidates were selected. The petitioner never approached this Court immediately but has now filed the petition after a period of five months of the culmination of the scrutiny process.

7. Further, the ground being given by the petitioner is that petitioner could not appear for the scrutiny due to the medical ailment. The petitioner is stated to have been admitted in the hospital on 06.07.2024 and



was relieved on 08.07.2024. The scrutiny of the documents was in the month of June and not July. Keeping in view the said fact, it cannot be said that the petitioner could not appear for the scrutiny due to the circumstances beyond her control.

8. Learned counsel for the petitioner has also placed reliance upon Medical Certificate issued by one Private Doctor, copy of which has been appended as Annexure P-10 that the petitioner was advised bed rest from 05.06.2024 till 25.06.2024. In the said, the reason being given is the Disc problem with back pain. In the other Medical Certificate, the petitioner has been treated for another ailment.

9. Further, the said Certificate is of dated 25.06.2024 and no document has been attached to support that the petitioner was under treatment of the said Doctor starting from 05.06.2024 till 25.06.2024 and bed rest was advised. Prima-facie, this Certificate is only to cover the loopholes for not appearing in the scrutiny of the documents.

10. Keeping in view the above, as the petitioner failed to appear for the scrutiny, which was must be carry on with the selection claim, no ground is made out for grant of any prayer in favour of the petitioner as the selection process is already over.

11. Dismissed.

December 04, 2024
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No