



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

244

CWP-9681-2019

Date of decision: 11.02.2025

Inderjit Kaur

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Ms. Sonika Garg, Advocate for
Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Arun Gupta, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing the respondents to consider the case of the petitioner for recruitment and appointment as Masters in Punjabi/Social Studies/Science/Math/English/Hindi, in pursuance to the 6060 posts advertised.

2. Reliance in the index of the petition had been placed on the pendency of CWP-29278-2017, **Sanjeev Kumar vs. State of Punjab and others**, which alongwith batch of many petitions was dismissed vide order dated 26.11.2024, which the learned counsel for the petitioner is unable to controvert and draw out any distinctive aspects therefrom or cite any contrary law, the relevant paras whereof read thus:-

“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 reconsidered 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.”

3. Petition dismissed.

(AMAN CHAUDHARY)
JUDGE

11.02.2025

Hemant

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