



**107+280 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of Decision : 12-12-2024

**1. CM-17839-CWP-2023 in/and
CWP No.10714 of 2023 (O&M)**

AMAN KAURPetitioner
VERSUS
STATE OF PUNJAB AND OTHERS
.....Respondent(s)

2. CWP No.11314 of 2023 (O&M)
JASPAL SINGH AND ORS.Petitioners
VERSUS
STATE OF PUNJAB AND OTHERS
.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner(s).

**Ms. Shruti, AAG Punjab
For respondent Nos.1 to 6.**

**Mr.Ranjit Singh Kalra, Advocate
for respondent Nos.4 to 16.**

HARSIMRAN SINGH SETHI, J. (Oral)

CM-17839-CWP-2023

**This is an application for placing on record Notification dated
26.08.2023 bearing registration No.2023239652 of the respondent
Department (Annexure P-15).**

**Keeping in view the contents mentioned in the application, the
same is allowed. Notification dated 26.08.2023 bearing registration**

No.2023239652 of the respondent Department (Annexure P-15 subject to all just exceptions.

CWP Nos.10714 of 2023 (O&M) and CWP No.11314 of 2023 (O&M)

Present set of two writ petitions involve common question of law in the background of common set of facts and thus they are being decided by a common order.

In the present petition, the grievance being raised by the petitioner(s) is that they wanted to compete for the post of Master (Music), and they have been treated ineligible on the ground that they have not passed the Teachers' Eligibility Test which is a pre-requisite to compete for the post. As per the petitioners, no PSTE Test for the subject of music was ever held hence, the said condition could not have been imposed.

Learned counsel for the respondents submits that the eligibility has been provided under the Rules governing the service and the advertisement also contains the same eligibility which is provided under the Rules and in the absence of any challenge to the Rule, the petitioners cannot claim eligibility to the post.

Learned counsel for the respondents further submits that the issue raised in the present petition has already been decided by the Division bench of this Court in LPA No.670 of 2024 titled ***"Dhirender Singh and ors. Vs. State of Punjab", decided on 14.05.2024***, wherein it has been held that any candidate, who does not fulfil the eligibility as described under the Rules, which has also been mentioned in the advertisement, no claim for consideration can be raised hence, in the absence of any challenge to the

Rules, no grievance can be raised by the petitioners so as to treat them eligible.

Probably keeping in view the settled the principle of law, no one is appearing on behalf of the petitioners. Hence, the present petitions are dismissed for non-prosecution.

Pending application, if any, also stands disposed of.

Photocopy of this order be placed on the file of other connected case.

**(HARSIMRAN SINGH SETHI)
JUDGE**

12-12-2024
Sapna Goyal

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO