



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

1367

CWP-13299-2011 (O & M)

Date of decision: 01.07.2025

Davinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Satnam Preet Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for directing the respondents to conduct the counselling of the petitioner as he had not been called for it on 08.07.2011 despite advertisement in the newspaper.

2. In para 3 of the petition, reference is made to the advertisement dated 21.10.2006 inviting application for a number of posts, including Physical Training Instructor and in para 4, there is an averment made by the petitioner, who had possessed B.P.Ed qualification, that he had applied for appointment to the said post but was not considered on the ground that he was possessing qualification higher than the basic and minimum prescribed therefor.

3. Learned State counsel refers to para 4 of the reply on merits filed by way of counter affidavit of Deputy Director on 21.02.2014, wherein the averments of the corresponding para of the writ petition were specifically denied being wrong, besides stating that the petitioner had tried to mislead the Court by pleading wrong facts, inasmuch as that he was not an applicant for the post of Physical Training Instructor in furtherance of advertisement dated 21.10.2006. Further reference is made to para 5 of the preliminary



submissions of the said reply stating therein that the public notice dated 22.06.2011, Annexure P-3, was only for those candidates, who had applied pursuant to the advertisement dated 21.10.2006 and not for the petitioner, who was not an applicant thereto.

4. To the aforesaid facts, there was no rebuttal made by filing any replication, even otherwise due to efflux of time, the prayer made in the present petition might not be surviving.

5. Disposed of, reserving the petitioner with a liberty to get it revived, by demonstrating that the *lis* still survives.

(AMAN CHAUDHARY)
JUDGE

01.07.2025

Hemant

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