



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

213

CWP-15120-2016 (O&M)

Date of decision: 20.01.2025

Sanwinder Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ashish Gupta, Advocate for
Mr. Virinder K. Shukla, Advocate for the petitioner

Mr. Satnam Preet Singh, DAG Punjab

Mr. Sukhdev Raj Kamboj, Advocate for respondent No.4

AMAN CHAUDHARY, J. (ORAL)

1. The prayer made in the present petition is for declaring the action of the respondents in not making selection and appointment of the petitioner to the post of Lecturer in Biology under the category of Ex-serviceman (General).
2. The respondents had taken the preliminary objection in the written statement dated 13.07.2017, to which there is no rebuttal by filing rejoinder for which time was sought on 04.07.2023 and 23.04.2024 or even during the course of hearing, relevant paras whereof read thus:

“ That it is respectfully submitted that the Education Recruitment Directorate, vide advertisement dated 20-11-2015 (Annexure P-1) had advertised 30 posts of Lecturer (Biology). The basic qualification required for above said post was as under:

"The prospective candidate should have possessed a valid Master's degree in Science in Botany or Zoology and Bachelor's degree in Education (B.Ed) from a recognized University."

3. That the petitioner applied for the above mentioned posts in the Ex- serviceman category and was allotted



registration no. 30329885. The scrutiny of documents of the petitioner was conducted on 31.3.2016. It is respectfully submitted that department finalized the selection process through the Education Recruitment Directorate, and a Scrutiny Committee was constituted for scrutiny of Documents/Certificates of the applicants. The department considered the candidature of only those applicants, who fulfilled the requisite conditions/qualifications, prescribed for the advertised posts. The Scrutiny Committee rejected the claim of the petitioner after considering the documents submitted by the petitioner, as the petitioner possesses Degree of M.Sc in the stream of Human Biology, which was not in accordance with the qualifications mentioned in the advertisement.

4. That it is pertinent to mention here that it was obligatory for the candidates to submit the qualifications/certificates according to the conditions mentioned in the advertisement. Therefore, the petitioner was not eligible for appointment to the post of Lecturer (Biology) as he did not fulfill the necessary conditions as prescribed in the advertisement (Annexure P-1). As such, his claim is not maintainable.

5. That at General Conditions No. 7(xvi) of the advertisement dated 20-11-2015 (Annexure P-1), it was also specifically mentioned that:-

"The decision of Recruitment Directorate regarding this recruitment will be final and applicable to all."

6. That from the above said condition, it is clear that the decision of the Recruitment Directorate was final. The petitioner once accepted the general conditions mentioned in the advertisement before applying and duly applied, cannot later on challenge the decision of the Recruitment Directorate due to his being declared as ineligible for the posts."

3. Learned counsel states that despite having made efforts, the petitioner is not coming forward to give instructions.
4. In view of the above the petition is dismissed.

(AMAN CHAUDHARY)
JUDGE

20.01.2025

M.Kamra

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