



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

235

CWP-19305-2019

Date of decision: 07.01.2025

Ramandeep Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Mr. G.P. Vashisht, Advocate
for the petitioner.

Mr. Sehajbir Singh Aulakh, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the impugned list of ineligible candidates dated 20.06.2019, Annexure P-5, whereby the petitioner was found to be ineligible on the ground that he did not possess the requisite qualification of graduation.
2. Learned State counsel has referred to the judgment passed by this Court in **Lekh Singh and others vs. State of Punjab and others**, CWP-17250-2019, decided on 11.12.2024, involving the same issue, as per which the present petition is liable to be dismissed, 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:-

“I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

Once, the qualification which has been prescribed in the Advertisement dated 01.03.2009 (Annexure P-2) is based upon 2018 Rules governing the service and as per the qualification prescribed therein, the Graduation is must with 50% marks, the



petitioner(s) cannot say that the petitioner(s) are only required to possess the qualification mentioned by the NCTE.

The qualification as per the 2018 Rules are as under:-

- “(1) Should possess Bachelor’s Degree from a recognised University or Institution with atleast 50% marks as per guidelines of the University Grants Commission,
- (2) Should possess two years Elementary Teacher’s Training course from a recognised University or Institution or two years Diploma in Elementary Education (D.El.Ed.) or qualifications as per guidelines of the National Council for Teachers’ Education”

A bare perusal of the above would shows that there are two sets of qualifications which are to be possessed by the candidates under Qualification under Clause-I and under Clause-II and there is no “or” between Clause-I and Clause-II. Hence, the qualification mentioned at Clause-I is also to be possessed by the candidates. In the present case, the petitioner(s) do not possess the Bachelor’s Degree as prescribed under the Rules hence, they cannot be treated eligible.

Further, the same question has already been answered by the Co-ordinate Bench in Harkesh Kaur Lotte’s case (supra), wherein, the candidates who are not even having 50% marks in the Graduation were held to be ineligible. Hence, once a candidate who has a Graduation Degree but does not have 50% marks is ineligible, the petitioner(s) who does not have the Graduation at all, cannot be treated eligible to compete for the post in question.

No ground is made out for any interference by this Court in the facts and circumstances of the present cases.

Hence, the present bunch of six petitions stands dismissed.

Pending application, if any, also stands disposed of.

Photocopy of this order be placed on the files of other connected cases.”

3. Dismissed.

(AMAN CHAUDHARY)
JUDGE

07.01.2025

Hemant

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