



CWP-26104-2016 (O&M)

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

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**CWP-26104-2016 (O&M)
Date of Decision: 06.03.2025**

Balvinder Singh**...Petitioner(s)**

Versus

State of Haryana and another**...Respondent(s)****CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present:- Mr. Parveen Moudgil, Advocate for the petitioner

Mr. Rohit Arya, Deputy Advocate General, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed *inter alia* seeking a direction to the respondents to consider the petitioner eligible for the post of PGT Punjabi in response to advertisement 04/2015, published on 28.06.2015.

2. The petitioner approached this Court with a grievance that he has wrongly been considered over age, by refusing to grant relaxation on the basis of experience as Guest Teacher in G.P.S., Rasidan, from 19.10.2006 to 31.08.2009. The experience was not taken into consideration since it was not countersigned by the Director, Secondary Education, as was the mandatory requirement.

3. During pendency of the petition, vide order dated 14.12.2022, the respondents were directed to file a specific affidavit as to whether any post of PGT Punjabi advertised by the advertisement in question was lying vacant in

General category, against which the petitioner was competing. Pursuant



thereto, respondents through Satpal Sharma, Special Secretary to Government of Haryana O/o Director Secondary Education, have filed an affidavit, dated 10.08.2023, that out of one hundred seventy-nine posts, total eighty-seven posts were of PGT Punjabi General category, and the Commission recommended those many candidates. Three candidates remained absent for documents verification, but their candidature was not cancelled. Accordingly, there was no vacancy available for the post of PGT Punjabi. It has further been stated that the post being Gazetted Group-B, no waiting list is required to be prepared by the Commission.

4. In view of the aforementioned facts, it remains undisputed that no post is vacant, and that being so the petitioner's claim for appointment cannot be considered. Adjudication of the matter in such a situation would be an academic exercise, which this Court is not inclined to undertake.

5. In view thereof, the petition stands disposed of.

6. Pending application(s), if any, also stand(s) disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

06.03.2025

Payal

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No