



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

106

**CWP-22502-2025
Decided on:- 09.09.2025**

Vinod Kumar

. . . Petitioner

Versus

State of Haryana and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sarthak Gupta, Advocate and
Ms. Sanya Shangari, Advocate
for the petitioner.

Ms. Tanushree Gupta, Senior Deputy Advocate General, Haryana.

TRIBHUVAN DAHIYA, J.(ORAL)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the order dated 04.07.2024, Annexure P-7, whereby the petitioner's candidature for the post of TGT English in response to advertisement 02/2023 has been rejected on account of being over age, though he secured 69.35 marks in the selection as against 63.65 of the last selected candidate under General category in Rest of Haryana (RoH) cadre.

2. More specifically, the ground of rejection is that to a question in the application form, '*provided age relaxation in experience*', the petitioner responded by writing 'Not Applicable' (NA), which means he has not claimed age relaxation. And without relaxation he had crossed the maximum age of forty two years on the closing date of submitting the applications, i.e., 15.03.2023. Pursuant to order dated 19.08.2025, the petitioner's selection



record was brought in Court, which established that he had uploaded an experience certificate from the Army Public School, Hisar, certifying that he had taught in the School for fourteen years eleven months and seven days.

3. In this factual background, learned counsel for the petitioner contends that there is no occasion for the Commission to not grant age relaxation to the petitioner despite the requisite experience certificate seeking the benefit having been uploaded alongwith the application form. In terms of clause 8.1 of the advertisement, teachers working in privately managed Government Aided Schools, recognised schools and Government Schools of Haryana State are to be given relaxation in upper age limit once, to the extent of service rendered by them as a teacher subject to maximum of five years. Since the petitioner had not claimed age relaxation ever earlier, the aforementioned question was not applicable to him and he responded accordingly in the application form, Annexure P-2. This cannot be a ground to reject his candidature by not granting the relaxation.

4. Learned State counsel referred to the instructions received from the Commission vide memo dated 02.09.2025, Annexure-A, which are on the same lines as the impugned order rejecting the petitioner's candidature only on the ground that he mentioned "NA" against the aforementioned column and disentitled himself from age relaxation for the teaching experience. She also submits that vide interim order, dated 07.04.2025, passed in CWP-29139-2024 titled *Savita Rani v. State of Haryana and others*, the respondents have been restrained from giving further appointments pursuant to the selection in question.

5. Submissions made by learned counsel for the parties have been considered.



6. As per clause 8.1 of the advertisement, the candidates are entitled to one time age relaxation on the basis of teaching experience in privately managed Government aided schools, recognised schools and Government schools. Undisputedly, the petitioner has teaching experience of fourteen years eleven months and seven days for working in the Army Public School, which is a recognised private school, and the experience accordingly entitles him to age relaxation in terms of clause 8.1. It is also not in dispute that he uploaded the experience certificate alongwith the application form, and also a duly filled *“Performa for information from candidate regarding experience certificate for age relaxation to be provided”*, i.e., Annexure ‘X’ . It was signed by the Principal, Army Public School and counter-signed by the Block Elementary Education Officer and District Elementary Education Officer on 16.03.2023 to certify the petitioner’s teaching experience as TGT English in the School. The respondents have refused to consider him for age relaxation on the ground of his response to the question/query in the form *“Provided age relaxation due to experience: NA”*. A reading of the clause makes it apparent that it requires the candidate to respond whether he/she has been provided age relaxation on the basis of experience. It is to be read with stipulation in clause 8.1 that such relaxation can be provided to the candidates only once. Since the petitioner had never been provided age relaxation earlier, he responded by saying ‘NA’ (Not Applicable) and there could be nothing wrong about it. Besides, apart from uploading the experience certificate, he had submitted another certificate/Annexure-‘X’ issued by the School Principal and counter-signed by the District Education Officers certifying his experience. As apparent from the heading of ‘Annexure-X’, it is meant to provide information regarding experience for age relaxation. In the light of these facts, there was no occasion



for the Commission to refuse age relaxation which has been done only by misreading the aforementioned question and its response in the application form.

7. In view of the above discussion, the petition is allowed and the Commission is directed to consider the petitioner for age relaxation on the basis of his teaching experience as TGT English in the Army Public School, and recommend him for appointment accordingly notionally from the date other selected candidates pursuant to the selection in question have been appointed, subject to and in terms of final outcome of CWP-29139-2024 titled *Savita Rani v. State of Haryana and others*.

09.09.2025
Mehak

(TRIBHUVAN DAHIYA)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No