



CWP-3438-2020 (O&M) and other connected cases

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.213 (four connected cases)

Date of Decision: 27.01.2026

1. CWP-3438-2020 (O&M)

Tejinderpal Singh and others Petitioners

VERSUS

State of Punjab and another Respondents

2. CWP-4202-2020 (O&M)

Vandana and another Petitioners

VERSUS

State of Punjab and another Respondents

3. CWP-5112-2020 (O&M)

Monika Goyal Petitioner

VERSUS

State of Punjab and another Respondents

4. CWP-4458-2020 (O&M)

Kunal Kapoor Petitioner

VERSUS

State of Punjab and another Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present: Mr. Harish Goyal, Advocate
for the petitioners
in CWP Nos. 3438, 4202 & 5112 of 2020.

Mr. Madhav Pokerel, Advocate, for the petitioner
in CWP-4458-2020.

Mr. Amarpreet Singh Bains, AAG, Punjab.

**DEEPINDER SINGH NALWA, J. (Oral)**

1. This common judgment shall decide aforementioned four writ petitions as common questions of fact & law are involved therein. For brevity, the facts are being extracted from the main case i.e. CWP-3438-2020.

2. In the present writ petition(s), the petitioners are praying for issuance of a writ in the nature of Mandamus for direction to the respondents to consider the case of the petitioners for appointment on the post of Headmaster/Mistress advertised in pursuance to the advertisement dated 09.03.2019 (Annexure P-1).

3. Brief facts of the case are that the respondents issued an advertisement dated 09.03.2019 (Annexure P-1), advertising 154 posts of Principal and 672 posts of Head Master/Mistress. The petitioners applied for the post of Principal. The case of the petitioners was considered, however, as the petitioners were lower in merit than the last selected candidate, who were appointed on the post of Principal, as such, the case of the petitioners was not considered for appointment on the post of Principal.

4. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the selection process, a letter dated 06.11.2019 (Annexure P-4) was issued by the Secretary, School Education Department, Punjab to the Chairman, Punjab Public Service



Commission, whereby, it was mentioned that for the purpose of direct recruitment of Head Master/Mistress, Computer Faculty/Vocational Masters have been given concession of having B.Ed. qualification from a recognized University or Institute and are entitled to be considered for appointment on the post of Head Master/Mistress. Learned counsel further submits that as they were working on the post of Computer Faculty/Vocational Masters, as such, in light of the letter dated 06.11.2019 (Annexure P-4), they have a right to be considered for appointment on the post of Head Master/Mistress as advertised in the advertisement dated 09.03.2019 (Annexure P-1).

5. Learned counsel appearing on behalf of the respondents-State submits that although, letter dated 06.11.2019 (Annexure P-4) was issued, however, as the entire process of recruitment to the post of Head Master/Mistress was completed, as such, the case of the petitioners cannot be considered for appointment on the post of Head Master/Mistress. It is also the case of the respondents-State that as, the petitioners had not applied for consideration for appointment on the post of Head Master/Mistress, as such, their case has rightly not been considered for appointment to the post of Head Master/Mistress.

6. I have heard the learned counsels appearing on behalf of the parties at length.

7. A perusal of the facts of the present case would show that the respondents advertised posts of Principal and Head Master/Mistress vide



advertisement dated 09.03.2019 (Annexure P-1). In pursuance to the abovesaid advertisement, the petitioners applied for consideration for their appointment on the post of Principal. A perusal of the advertisement dated 09.03.2019 (Annexure P-1) would show that in order to become eligible for consideration for appointment on the post of Head Master/Mistress in terms of the advertisement dated 09.03.2019 (Annexure P-1), a candidate has to possess qualification of B.Ed. from a recognized University or Institution as per the guidelines of University Grants Commission. It is an admitted fact that the petitioners do not possess the qualification of B.Ed. from a recognized University or Institution and as such, they were not eligible for consideration for appointment on the post of Head Master/Mistress in terms of the advertisement dated 09.03.2019 (Annexure P-1).

8. It is well settled law that a candidate has a right to be considered for appointment, if he/she possesses the necessary qualification as mentioned in the advertisement. In regard to the contention raised by the learned counsel appearing on behalf of the petitioners that in light of the letter dated 06.11.2019 (Annexure P-4), the petitioners had a right to be considered for appointment on the post of Head Master/Mistress in pursuance to the advertisement dated 09.03.2019 (Annexure P-1) is concerned, the abovesaid contention cannot be accepted for the reason that the petitioners never applied for appointment to the post of Head Master/Mistress. Even otherwise also, abovesaid



letter dated 06.11.2019 (Annexure P-4) cannot be taken into consideration after the advertisement has been issued. No letter can be issued relaxing or dispensing with the qualification stipulated in the advertisement, unless and until, the advertisement is amended, so as to, enable eligible candidates to apply for appointment. Candidates must possess the requisite qualification as mentioned in the advertisement to be entitled for consideration for appointment. Possession of requisite qualification as stipulated in the advertisement is mandatory pre-condition for eligibility. Taking into consideration the fact that the petitioners did not possess the requisite qualification as per the advertisement dated 09.03.2019 (Annexure P-1) and did not apply for the post of Head Master/Mistress, the petitioners have no right to be considered for the appointment on the post of Head Master/Mistress in terms of the abovesaid advertisement dated 09.03.2019 (Annexure P-1).

9. Accordingly, the writ petitions are hereby dismissed.
10. Pending miscellaneous application(s), if any, also stand(s) disposed of.

(DEEPINDER SINGH NALWA)
JUDGE

27.01.2026
Ramandeep Singh

Whether speaking / reasoned	Yes / No
Whether Reportable	Yes/ No