

2026:PHHC:039547



127.

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

CWP-7676-2026

Date of decision: 13.03.2026

Puneet Kaur

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Ms. Alka Chatrath, Advocate, for the petitioner.

Mr. Surya Kumar, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. The instant petition has been filed under Article 226 of the Constitution of India, seeking quashing of order dated 10.09.2025 (Annexure P-13), passed by the Director, Education Recruitment Directorate, Department of School Education, Punjab (respondent No.3), whereby the claim of the petitioner for non-inclusion of her name in the select list (Annexures P-8 and P-9) for the post of ETT Teacher against advertisement No.3/2022, dated 12.10.2022 (Annexure P-3), has been rejected.

2. Learned counsel for the petitioner submits that vide advertisement No.3/2022, dated 12.10.2022 (Annexure P-3), 419 posts under Sportsman Category (General) were advertised, which included 359

backlog posts of Sportsman Category (General), and only 45 have been filled and the claim of the petitioner ought to have been considered against the remaining vacant posts. She further submits that the petitioner has applied under the said category and Sports Gradation Certificate, dated 01.01.2015 has been annexed with the petition as Annexure P-2. She further submits that the petitioner had earlier filed CWP No.23767 of 2025, claiming the said benefit and the said petition was disposed of by this Court, vide order dated 19.08.2025, to consider the legal notice dated 04.06.2025, within a period of 4 months. In pursuance to the said direction, the claim of the petitioner has been rejected, vide order dated 10.09.2025 (Annexure P-13), by giving the following reasons:-

“3. That the Department of School Education, Punjab invited online applications for the posts of Elementary Trained Teacher (E.T.T.) Cadre (Class III post) vide advertisement dated 12.10.2022. The petitioner applied under General Sports category. The petitioner has participated in District Level Tournament under-19 and secured 1” position, hence, was issued ‘D’ grade Sports certificate. That in General Conditions No.7(v) of the advertisement, it was specifically prescribed as under:-

“7(v) “Candidates applying under the Sports category must submit a Sports certificate, duly graded by the Director Sports, Punjab, at the time of scrutiny. For this category, selection will be based solely on Sports merit, which shall be finalized by the Director Sports, Punjab as per Rules.”

4. That as mentioned above, the merit under Sports category is prepared by the Directorate of Sports, Government of Punjab in accordance with the Punjab Recruitment of Sportsmen Rules, 1988. In Rule 2(b) of the Rules, 1988, it is specifically prescribed as under:-

“(b) In case of recruitment to reserved vacancy in Class III posts:-

- (i) that he belongs to State of Punjab; and*
- (ii) that he has won first, second or third position in team or individual events while representing*

the State of Punjab in a State Level Championship in any of the discipline affiliated to the Punjab Olympic Association organized by the State Level Federation.”

5. *That Education Recruitment Directorate conducted the selection process regarding the 5994 posts of ETT Cadre (Class III post) advertised on 12.10.2022. As per the information received from the O/o Directorate of Sports vide Letter dated 25.09.2024, the minimum sports achievement for ‘Class III’ post under Punjab Recruitment of Sportsmen Rules, 1988 is securing position at State level Tournament. The petitioner, Puneet Kaur, has won medal at District level tournament. Hence, the petitioner was declared ineligible for the ETT Cadre post.”*

3. Notice of motion.

4. On receipt of advance copy of the petition, Mr. Surya Kumar, AAG, Punjab appears and accepts notice on behalf of respondents. He submits that as per Punjab Recruitment of Sportsman Rules, 1988, the petitioner, who has participated at District Level, is not eligible for appointment under the Sports Category, as the requirement of Rule 2(b) of said Rules is that the candidate should have won first, second or third position in team or individual events while representing the State of Punjab in a State Level Championship in any of the discipline affiliated to the Punjab Olympic Association organized by the State Level Federation. Since the petitioner does not fulfil the said condition, therefore, her claim for appointment against the remaining vacant posts cannot be considered. In support of said contention, he has placed reliance upon a judgment dated 12.02.2026 passed by a coordinate Bench of this Court, wherein while considering the similar issue in ***CWP No.9419 of 2021-Pinky Gupta Versus State of Punjab and others***, and another connected case, it has

been held as under:-

“7. After hearing learned counsel for the parties at some length, the issue involved in the present writ petition is whether the petitioner could have been considered in the General (Sports) category for the purpose of appointment on the post of Science Mistress. A perusal of the facts of the case would show that the case of the petitioner has not been considered on the ground that as per the 1988 Rules, she is not eligible to be considered under the General (Sports) category.

8. With regard to the contention raised by the counsel appearing on behalf of the petitioner that the 1988 Rules cannot be taken into consideration as they were not referred or mentioned in the advertisement is concerned, it is well settled law that if any rule or instructions are not mentioned in the advertisement but have been issued before the issuance of advertisement, they have to be read as a part of the advertisement. It is not in dispute that as per the 1988 Rules, the petitioner is not eligible to be considered under the General (Sports) category for the purpose of appointment.

9. Taking into consideration the 1988 Rules read with the advertisement, the petitioner has rightly been held ineligible for consideration for appointment under the General (Sports) category.

10. In regard to the reliance made by the petitioner on the judgment passed by the Co-ordinate Bench in **Rajwinder Singh's case** (supra) is concerned, a perusal of the above said judgment would show that the issue involved in the case was whether a candidate possessing a D grade certificate, was eligible to be considered for appointment on the post of JBT, as such, the above said judgment will not be applicable in the case of petitioner.”

5. The present case is squarely covered by the said judgment rendered in **CWP No.9419 of 2021 (supra)** and consequently, the same is dismissed with no order as to costs.

(NAMIT KUMAR)
JUDGE

13.03.2026
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No