

## Manjit Singh Vs State of Punjab and Others

**Court:** High Court Of Punjab And Haryana At Chandigarh

**Date of Decision:** Aug. 13, 2013

**Hon'ble Judges:** Tejinder Singh Dhindsa, J

**Bench:** Single Bench

**Advocate:** S.P.S. Tinna, for the Appellant;

**Final Decision:** Dismissed

### Judgement

Tejinder Singh Dhindsa, J.

The challenge in the instant writ petition is to the order dated 1.1.2013 (Annexure P-7) passed by the Director,

Public Instructions (S.E.), Punjab, whereby the claim of the petitioner for being permitted to join on the post of Education Service Provider (Hindi

Master) has been rejected. The petitioner had earlier preferred CWP No. 17332 of 2012 before this Court raising a prayer for issuance of

directions to the respondents to grant to him an opportunity to join on the post in question in pursuance to an offer of appointment that had been

issued vide letter dated 27.9.2008. The aforementioned writ petition was disposed of by this Court vide order dated 5.9.2012 with the directions that

the representation dated 10.2.2012 that had already been submitted by the petitioner, be dealt with, strictly in accordance with law and a speaking

order be passed thereupon.

2. It is in purported compliance of the order dated 5.9.2012 that the impugned order dated 1.1.2013 (Annexure P-7) has been passed.

3. A perusal of the impugned order would make it apparent that the respondent-department had issued an advertisement dated 29.7.2007 for

recruitment to the posts of Education Service Providers in different subjects. The petitioner had applied for the post of Hindi Master and his merit

was determined by the recruiting agency at 65.094. Based upon such merit, a letter of appointment as Education Service Provider (Hindi Master)

was issued on 27.9.2008 and even a posting order dated 22.10.2008 was issued in favour of the petitioner allotting him Govt. High School, Kusla

(Mansa). However, the petitioner did not join on the post in pursuance to the appointment/posting letter. Subsequently, even a public notice dated

22.11.2008 was issued in the daily newspapers so as to give an opportunity to all the selected candidates, who had not been able to join inspite of

issuance of appointment letters. Inspite of such public notice the petitioner still did not join. The impugned order further reveals that the department

had already issued advertisement in the years 2011 and 2012 for filling up the vacant posts and such process of selection is in the final stage.

Accordingly, a view has been taken that the petitioner having himself not availed the opportunity of having joined the post in question, such claim

cannot be entertained after a lapse of almost four years.

4. Learned counsel for the petitioner has not been able to rebut such factual position as contained in the impugned order. Still further, counsel has

also not pointed to any ground/submission that had been raised in the representation dated 10.2.2012 which has not been dealt with in the

impugned order.

5. I am of the considered view that the impugned order of rejection dated 1.1.2013 has been passed on valid and cogent grounds and the same

would not call for any interference. Writ petition is, accordingly, dismissed. Petition dismissed.