

(2013) 02 RAJ CK 0051
In the Rajasthan High Court
Case No : Civil Writ Petition No. 16912 of 2012

Asha Meena

APPELLANT

Vs

University of Raj. and Others

RESPONDENT

Date of Decision : 27-02-2013

Acts Referred:

Citation : (2013) 02 RAJ CK 0051

Hon'ble Judges : Munishwar Nath Bhandari, J

Bench : Single Bench

Advocate : P.S. Sharma, for the Appellant;

Final Decision : Dismissed

Judgement

Munishwar Nath Bhandari, J.—By this writ petition, a challenge is made to communication dated 11.06.2012 at Annexure-5. The petitioner applied for the post of Senior Teacher Gr.II (Secondary Education). Her candidature has been rejected vide the impugned order on the ground that at the level of graduation, she was not having three subject, which is Zoology, Botany and Chemistry.

2. Learned counsel submits that petitioner did her B.Sc. with Chemistry and Geology and Biology, thus should not have been rendered ineligible.

3. I have considered the submissions made and find that as per the Clause-7 of the advertisement, a candidate was required to possess qualification of graduation with three subjects, namely, Zoology, Botany and Chemistry. It is for the post of Senior Teacher Gr.II. The petitioner is not in having three subjects at the level of graduation, thus if she is held to be ineligible for the post of Senior Teacher Gr.II, the action of the respondent/s cannot be said to be illegal. The petitioner applied for the post after going through the terms and conditions of the advertisement. The validity of rules requiring graduation with three subjects, namely, Chemistry, Zoology and Botany has already been upheld by the Division Bench in DB Civil Writ Petition No. 3836/2011 in the case of Devi Bijani v. State & Anr. decided on 25.08.2011. In view of the above, this Court cannot take a

different view to treat a candidate to be eligible, who is not in possession of three subject at the level of graduation to fulfill requirement of rules. Accordingly, I do not find any illegality in the action of the respondents, hence, the writ petition so as the stay application are dismissed.