

(2012) 03 P&H CK 0162
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 17640 of 2004

Karamjit Kaur

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 23-03-2012

Acts Referred:

Citation : (2012) 03 P&H CK 0162

Hon'ble Judges : Hemant Gupta, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Hemant Gupta, J.—Petitioner has claimed a writ of certiorari for quashing the appointment of respondents No. 9 and 10 as education volunteers. A circular was issued on 16.7.2004 to appoint two education volunteers instead of Block Resource Persons keeping in view the shortage of teachers in the schools on contract basis on fixed emoluments. As per the said circular, education volunteers should be from the same village and if not from the same village, then from the adjoining villages.

2. Petitioner as well as respondents No. 9 were considered for appointment of education volunteers by a Village Education Development Committee to substitute Shri Jagjivan Parkash, Social Studies Master of Government High School who was deputed as Block Resource Person. The Development Committee framed the following criteria: -

1.

50% of B.A. Total Marks &

=

50 Marks

2.

Experience

=

10 Marks

3.

Extra/Higher Qualification

=

10 Marks

4.

Written Tests

=

25 Marks

5.

Committee Marks

=

5 Marks

3. Five candidates including the petitioner and respondent No. 9 attended the interview and were graded by the Committee. In the grading, the name of Sudesh Rani appeared at serial No. 1, petitioner at No. 2 and Respondent No. 9 at No. 3. Sudesh Rani and Respondeet No. 9 were appointed. Petitioner was not appointed as she is MA in Punjabi, a subject not required. Later, it was on the representation of the father of the petitioner, it was found that Sudesh Rani does not belong to the same village and consequently in a walk in interview, Gurpreet Singh-respondent No. 10 was appointed in pursuance of interview held on 6.11.2004. Earlier Village Education Volunteer Committee has resolved on 2.11.2004 to appoint a math teacher.

4. In the written statement filed on behalf of private respondents, it is pointed out that the petitioner is MA in Punjabi and is not suitable to work as social study teacher. It is also pointed out that one of the member of the Committee was the aunt of the petitioner which fact has been withheld. Petitioner has secured 46 marks as against respondent No. 9, who secured 48 marks. Respondent No. 10 was appointed as math teacher, whereas the petitioner is not qualified for the appointment of math teacher.

5. A perusal of Annexure P-1 dated 16.7.2004, shows that appointment of education volunteers is to meet out the emergent situation and are appointed on fixed payment. The petitioner is not qualified to be appointed as a social studies teacher or math teacher, the subjects for which volunteers were required.

6. Keeping in view the facts and circumstances of the case, I do not find any illegality or irregularity in the process of appointment at the instance of the petitioner, which may warrant interference in the writ jurisdiction of this Court. Dismissed.