
(2010) 10 SHI CK 0166
In the High Court Of Himachal Pradesh
Case No : CWP (T) No. 4611 of 2008

Nirmala Devi

APPELLANT

Vs

The Secretary (Education) and Others

RESPONDENT

Date of Decision : 22-10-2010

Acts Referred:

Citation : (2010) 10 SHI CK 0166

Hon'ble Judges : Rajiv Sharma, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajiv Sharma, J.—Petitioner has assailed the appointment of respondent No. 5 to the post of Craft Teacher. Case of the petitioner, in a nutshell, is that respondent No. 5 was not in possession of validly issued I.R.D.P. certificate. Case of the respondents, precisely, is that in response to notification dated 16.3.1995, 814 candidates were sponsored by the Employment Exchanges/Sub-Employment Exchanges of Mandi District. Out of these 814 candidates, only 628 candidates appeared in the test. Out of these 628 candidates, only 36 candidates alongwith petitioner were declared successful and were called for interviews which were held between 1.8.1996 to 7.8.1996. In this case, screening test was held on 24.3.1996. Petitioner has placed on record I.R.D.P. certificate issued in the month of August, 1997. It is settled law by now that the certificates/testimonials are required to be submitted alongwith the application on or before the last date of receipt of application as per advertisement or the date prescribed under the Rules. In the case in hand, the posts of Craft Teachers were notified on 16.3.1995, screening test was held on 24.3.1996 and the interviews were held between 1.8.1996 to 7.8.1996. It can safely be presumed by this Court that the petitioner was not in possession of I.R.D.P. certificate at the time when the vacancies were notified; screening test and the interviews were held. In case the petitioner was in possession of the I.R.D.P. certificate, she ought to have placed the same on record valid upto 1995-1996. Since the petitioner herself was not

eligible to be considered for the post in question under the category of I.R.D.P. (general), she is precluded from challenging the eligibility of respondent No. 5.

2. Accordingly, in view of the observations made hereinabove, there is no merit in the petition and the same is dismissed. There shall, however, be no order as to costs.