

**(2019) 02 RAJ CK 0205**  
**In the Rajasthan High Court**  
**Case No : Civil Writ No. 2612 Of 2019**

Parvati Paliwal

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

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**Date of Decision :** 21-02-2019

**Acts Referred:**

**Citation :** (2019) 02 RAJ CK 0205

**Hon'ble Judges :** Arun Bhansali, J

**Bench :** Single Bench

**Advocate :** Rajat Dave

**Final Decision :** Dismissed

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## Judgement

This writ petition has been filed by the petitioner seeking a direction to the respondents to treat the petitioner as eligible for appointment to the post of Teacher Grade - III, Level - 1 pursuant to the advertisement dated 12.04.2018 (Annex.-7).

The petitioner has passed REET-17 and has obtained 77.33% marks. Pursuant to the advertisement dated 12.04.2018, the petitioner applied for the post of Teacher Grade - III, Level - 1, wherein the last date of application was 30.04.2018.

A instruction 9.8 as indicated in the advertisement provided that all the minimum qualifications were required for the candidate on the last date of filling-up the application form. The eligibility requirements indicated were minimum 50% marks in Senior Secondary and 2 years' Diploma in Elementary Education. The petitioner when she filled online application form, was student of 2nd year of the Diploma, result whereof was declared on 24.01.2019.

It is submitted by learned counsel for the petitioner that the cut-off for appointment indicated is 74% in the category of the petitioner and as such she has obtained more marks than the cut-off, as the result of the Diploma was not

declared at the time of document verification held in June, 2018, she was not permitted to participate in the further process.

It is also submitted that now after the interim orders granted against the selection process have been vacated and appointments are being made and in the meanwhile the result of the petitioner has also been declared, the respondents be directed to treat the petitioner as eligible and accord appointment to her as she has obtained higher marks than the cut-off.

I have considered the submissions made by learned counsel for the petitioner and have perused the material available on record.

Admittedly, the eligibility requirement pertaining to qualification was on the last date of filling of the application, which in the present case was 30.04.2018 and the petitioner passed her two year Diploma course on 24.01.2019 and, therefore, on the last date of filling of the application, the petitioner was not qualified, as required.

In view thereof, the rejection of the petitioner's candidature by the respondents cannot be faulted.

The mere fact that appointments are being made now i.e. after result of the petitioner has been declared is of no consequence.

In view thereof, there is no substance in the writ petition, the same is, therefore, dismissed.