
(2014) 07 SHI CK 0160
In the High Court Of Himachal Pradesh
Case No : CWP No. 3019 of 2014

Sanjeev Kumar

APPELLANT

Vs

State of Himachal Pradesh

RESPONDENT

Date of Decision : 07-07-2014

Acts Referred:

General Clauses Act, 1897 — Section 27

Citation : (2014) 07 SHI CK 0160

Hon'ble Judges : Sureshwar Thakur, J;Rajiv Sharma, J

Bench : Division Bench

Advocate : Adarsh K. Vashista, Advocate for the Appellant; Anup Rattan, Addl. A.G. and Vivek Singh Attri, Dy. A.G, Advocate for the Respondent

Final Decision : Dismissed

Judgement

Rajiv Sharma, J.—Petitioner has obtained B.Ed. degree from the University of Kashmir, Srinagar in the year 2002. He belongs to Scheduled Caste category. He has qualified Teachers' Eligibility Test in the year 2003. Respondents initiated process for filling up the posts of T.G.T. (Arts) on batch-wise basis. Petitioner was issued interview letter on 12.11.2013. The interviews were fixed for 20.11.2013 and 21.11.2013. Fact of the matter is that petitioner has not appeared for the interview on 20.11.2013.

2. Case of the petitioner, in a nutshell, is that he has never received letter dated 12.11.2013 (Annexure P-6). He made a representation to the Director Elementary Education vide Annexure P-7. Petitioner was informed by the Directory Elementary Education that the matter was looked into and as per the information supplied by the Deputy Director Elementary Education vide letter dated 20.2.2014, petitioner has not appeared in the interview on 20.11.2013 and he approached the office on 22.11.2013 when the interviews of T.G.T. (Non-Medical) were going on.

3. Mr. Adarsh Vashista has submitted that the petitioner could not receive letter

dated 12.11.2013 since the address was not complete. We have gone through Annexures P-6 and P-8. The only difference in the address is that in Annexure P-6 word "Mohin" has been written in handwriting though Ward Number has been specifically mentioned in both the communications. Petitioner has not rebutted the presumption u/s 27 of the General Clauses Act.

4. Accordingly, there is no merit in the petition and the same is dismissed. Pending application(s), if any, also stands disposed of. No costs.