

Service Matter - Appointment - Applicants did not fulfill the requisite educational eligibility qualifications on the date of making of the applications and even on the last date for making applications - However, the fact remains that by the last date for making the applications as appointed by the corrigendum, they had all acquired the requisite educational eligibility qualifications

Facts: On 12.01.1996, advertisement was issued by the Education Department, Punjab, inviting the applications for appointment of 3025 Teachers. The petitioners in the aforementioned judgment, did not fulfil requisite educational qualification, on the date of making of application and not even on 15.02.1996 i.e. the last date of making applications. Although, it has been noticed that by 30.10.1996 (the last date for making the applications as appended by the corrigendum dated 07.10.1996), the petitioners therein, had acquired the requisite educational qualification. 13. Placing reliance on the decisions of this Court in **Ashok Kumar Sharma v. Chander Shekhar & Anr., JT 1997(4) SC 99 : 1997(2) SCT 208 (SC); A.P. Public Service Commission v. B. Sarat Chandra & Ors., 1990(4) SLR 235; The Distt. Collector and Chairman, Vizianagaram (Social Welfare Residential School Society) Vizianagaram and Anr. v. M. Tripura Sundari Devi, 1990(4) SLR 237; Mrs. Rekha Chaturvedi v. University of Rajasthan & Ors., JT 1993(1) SC 220 : 1993(2) SCT 279 (SC); Dr. M.V. Nair v. Union of India & Ors., 1993(2) SCT 77 (SC); and U.P. Public Service Commission, U.P., Allahabad & Anr. v. Alpana, JT 1994(1) SC 94 : 1994(1) SCT 701 (SC)**, the High Court has held (i) that the cut off date by reference to which the eligibility requirement must be satisfied by the candidate seeking a public employment is the date appointed by the relevant service rules and if there be no cut off date appointed by the rules then such date as may be appointed for the purpose in the advertisement calling for applications; (ii) that if there be no such date appointed then the eligibility criteria shall be applied by reference to the last date appointed by which the applications have to be received by the competent authority. The view taken by the High Court is supported by several decisions of this Court and is therefore well settled and hence cannot be found fault with. However, there are certain special features of this case which need to be taken care of and justice done by invoking the jurisdiction under Article 142 of the Constitution vested in this Court so as to advance the cause of justice.

[2000 PLRonline 0004, Bhupinderpal Singh v. State Of Punjab](#)