



Service matter - Change of advertisement conditions after 5 years - Game had already started; the respondents changed the rules of game in midway; but that was not permissible in law

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[service matter](#) - Change of advertisement conditions after 5 years - Game had already started; the respondents changed the rules of game in midway; but that was not permissible in law - Department of School Education Government Policy - Advertisement invited for selection to the posts in question on [contract](#) basis initially for a period of three years, with a rider that in case the work & [conduct](#) of the applicant(s) is found to be satisfactory, then he or she may be considered for regular [appointment](#) - Despite this factual position, the respondents did not finalize the selection for 05 (five) years - Thus, it seems that respondents were not taking the selection process seriously; rather they forgot the same - Ultimately, after consuming half a decade, respondents abruptly issued the impugned public notice dated 30.06.2016, thereby imposing a condition of passing written test for becoming eligible to the post(s) in question without any valid justification - While issuing the impugned public notice inserted altogether a new condition of passing the written test with minimum 50% marks (relaxable of 5% for reserved category), which was never intended at the time of issuing the advertisement - As a result thereof, this Court is of the opinion that neither under the *regula regulans*; nor as per the dicta laid down in *K.Manjusree v. State of Andhra Pradesh* (2008) 3 SCC 512 not empowered to change the selection criteria.

[\(2022-2\)206 PLR 135 \(SN\) , 2022 PLRonline 0095](#)

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