

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.3044 of 2014

Date of Decision:- 5.5.2016.

Prem Kumar

.....Petitioner

Versus

Central Industrial Security Force (CISF) and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. T.C. Dhanwal, Advocate for the petitioner.

Mr. Vivek Singla, Advocate for the respondents.

P.B. BAJANTHRI, J.

1.) In the instant petition, the petitioner has questioned communication dated 31.5.2013 (Annexure P-2) and another communication dated 6.1.2014 (Annexure P-5).

2.) The respondents have advertised 343 posts of Constable Driver in the year 2012 while fixing the last date of submission of application as "25.8.2012".

3.) The petitioner is one of the candidate for recruitment to the post of Constable Driver. The respondents have selected petitioner with reference to the eligibility and his name has been shown in the select list at serial No.105. Thereafter, for the purpose

of verification of documents, the petitioner was called to produce the various documents. The petitioner did not have one of the valid document, namely, driving licence to drive motor cycle with gear. Therefore, the respondents have rejected candidature of the petitioner to the post of Constable Driver.

4.) Learned counsel for the petitioner submitted that the petitioner had valid driving licence which was issued on 15.6.2004 and the same has been renewed on 19.6.2013. Therefore, as on the date of selection, he had valid driving licence. Consequently, rejection of his candidate for the post of Constable Driver is incorrect.

5.) Learned counsel for the respondent submitted that as on the last date of submission of application, namely, on 25.8.2012, the petitioner did not have the valid driving licence for the reasons that the original driving licence issued on 15.6.2004 was valid for a period of three years. Therefore, on 14.6.2007 driving licence issued to the petitioner got expired. Till 25.8.2012 i.e. the last date of submission of application, the petitioner did not get renewed the driving licence. He has only got renewed driving licence on 19.6.2013. Therefore, there is no infirmity in rejection of the petitioner's candidature for want of valid driving licence as on 25.8.2012 and even he did not have as on the date when he was called to produce documents and for verification.

6.) Heard learned counsel for the parties.

7.) The crux of the matter is whether the petitioner did have

valid driving licence on the last date of submission of application i.e. 25.8.2012 or not. It is evident from Annexure P-3 that the petitioner got valid driving licence w.e.f. 15.6.2004 which is for a period of three years which expired on 14.6.2007 which is not disputed. The petitioner got renewal of driving licence in the month of June, 2013. Therefore, in the intervening period from 14.6.2007 to 19.6.2013, the petitioner did not have the valid licence for driving motor-cycle and other vehicles which are notified in Annexure P-3. In view of these facts and circumstances, the petitioner failed to produce valid driving licence when he was called to produce even in the month of February, 2013. Then petitioner realized that driving licence was expired and he has approached the District Transport Officer for getting renewal of his driving licence only in the month of June, 2013 i.e. subsequent to the process of recruitment. Therefore, I decline to interfere with the orders questioned in the present petition.

8.) Dismissed.

(P.B. BAJANTHRI)
JUDGE

May 5, 2016.

sandeep sethi