

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.946 of 2016 (O&M)

Date of Decision: September 29, 2016

Pirthi Chand

.....Appellant

versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr.Balkar Singh, Advocate, for the appellant.

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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?

Surya Kant, J. (Oral)

The appellant laid challenge to the order of termination of his services passed on the ground that he was not possessing the requisite qualification of two years' course in electrical/wireman trade from an I.T.I. recognized by the State Government. Learned Single Judge dismissed his writ petition relying upon an earlier decision of this Court dated 18.01.2016 in Satish Kumar versus UHBVN and others) where identical issue had arisen for consideration.

The point in issue is whether the appellant was possessing the requisite qualification on the date of his appointment, i.e., 15.10.2008?

It is undeniable that on 18.10.2006, the following qualification was prescribed for the post of Assistant Lineman:-

**“QUALIFICATION FOR DIRECT RECRUITMENT
FOR THE POST OF ASSISTANT LINEMAN.**

50% posts will be filled up by direct recruitment from amongst the candidates who possess the following qualification:-

- (i) Matric with 2 years ITI in Electrician/Wireman trade or having 2 years vocational course under the trade of Lineman conducted by Director, ITI & Vocational Education, Haryana from any institute recognized by the State Government.
- (ii) Must have passed Hindi/Sanskrit up to Matric Standard.....”

The appellant admittedly does not possess two years' ITI Course in Electrical/Wireman trade and was thus lacking the requisite qualification. In this view of the matter, no fault can be found with the order passed by learned Single Judge.

Dismissed.

[SURYA KANT]
JUDGE

September 29, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No

CM No.1945 of 2016 in
LPA No.946 of 2016

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Pirthi Chand versus Uttar Haryana Bijli Vitran Nigam and others

Present : Mr.Balkar Singh, Advocate,
for the applicant-appellant.

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For the reasons mentioned in the application, the same is
allowed subject to all just exceptions and 85 days' delay in filing the appeal
is condoned.

CM stands disposed of.

(SURYA KANT)
JUDGE

September 29, 2016
mohinder

(SUDIP AHLUWALIA)
JUDGE