

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 12218 of 2017
Date of Decision: May 30, 2017

Sukhmandar Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

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

Present: Mr. Anil Rana, Advocate,
for the petitioner.

P.B. Bajanthri, J. (Oral)

1. Petitioner's claim for promotion to the post of Sub Divisional Officer (Civil) has been rejected by the respondents vide order dated 03.01.2017 (Annexure P/13) which is under challenge in the present petition.

2. Undisputedly, petitioner possessed qualification of Associate Membership Examination in Civil Engineer (for short "AMICE") from the Institution of Civil Engineers (India) which is not one of the qualification prescribed for the post of Sub Divisional Officer (Civil), requisite qualification is other than AMICE. Thus, respondents have rightly rejected petitioner's claim that petitioner do not possess requisite qualification prescribed in the rules of recruitment governing the post of Sub Divisional Officer (Civil). Unless and until equivalent qualification like AMICE and other requisite qualifications for the purpose of promotion to the post of Sub Divisional Officer (Civil) is equated or necessary amendment to rules of

recruitment is made by the Government, petitioner is not entitled to consider his name for promotion to the post of Sub Divisional Officer (Civil) with AMICE qualification.

3. Learned counsel for the petitioner submitted that State Government has extended certain benefits to the persons who possessed qualification AMICE while equating qualification. Unless and until rule is amended, such benefit cannot be extended. Even assuming that Government has extended certain benefits to the persons with AMICE qualification, such benefit is contrary to rules governing the post of Sub Divisional Officer (Civil).

4. Accordingly, no interference is called for in respect of order dated 03.01.2017 (Annexure P/13).

5. Instant writ petition stands dismissed in limine.

May 30, 2017

vkd

**[P.B. Bajanthri]
Judge**

Whether speaking / reasoned : Yes

Whether reportable : No