

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) No. 2066/2017**

% **6th March, 2017**

SHAILESH KUMAR AND ORS. Petitioners
Through: Mr. P. Sureshan, Advocate.

versus

PUNJAB NATIONAL BANK AND ORS. Respondents
Through: Mr. B.S. Shukla and Mr.
Shambhu Chaturvedi, Advocate
for R-2 & 3.

CORAM:
HON'BLE MR. JUSTICE VALMIKI J.MEHTA

To be referred to the Reporter or not?

VALMIKI J. MEHTA, J (ORAL)

W.P.(C) No. 2066/2017 and C.M. Appl. Nos. 9071-72/2017

1. By this writ petition under Article 226 of the Constitution of India, three petitioners seek the relief of being appointed as Managers (Security) with the respondent no. 1/Punjab National Bank as per its advertisement dated 20.8.2016 calling candidates for appointment to various posts including the posts of Managers (Security). The requirement/eligibility criteria for appointment to the post of Manager (Security) as per the advertisement dated 20.8.2016 is as under:-

Post Code	Name of Post	Grade/scale	No. of vacancies	Scale of pay
14	Manager (Security)	Min – 21 Years Max – 35 Years	Bachelor's degree from any University recognized by Govt. Of India	An Officer with 5 years Commissioned Service in Indian Army/Navy/Air Force OR Officers of identical work in para-military forces with 5 years experience.

2. Petitioners claim that they are doing identical work as the Commissioned officers of the armed forces or para-military forces and therefore they were bound to be considered for appointment to the post of Managers (Security) with the respondent no.1/bank, although petitioners, admittedly, are only working as Sub-Inspectors with the respondent no.3/Central Industrial Security Force (CISF).

3. I cannot agree with the argument urged on behalf of the petitioners because the requirement in the aforesaid advertisement shows that appointment to the post of Manager (Security) is of a commissioned officer with the armed forces or para-military forces.

4. I had put a query to counsel for the petitioners that from which rank the post of an officer begins with respondent no. 3/CISF, the present employer of petitioners, and to which query counsel for the petitioner did not give an answer, however, counsel for respondent nos. 2 and 3 states that the post of officer with respondent no. 3/CISF begins from an Assistant Commandant, but petitioners are below the rank of Assistant Commandant as they are only Sub-Inspectors. Therefore, once petitioners are not at the level of officers of armed forces or para-military forces, they only being Sub-Inspectors i.e the rank below the rank of an officer, hence the petitioners did not satisfy the eligibility criteria for being appointed to the posts of Managers (Security) with the respondent no. 1/bank. Merely because petitioners claim to be doing identical work will not make the post of Sub-Inspector equal to that of an officer of armed forces or para-military forces, inasmuch as, and as stated above, the post of an officer in respondent no. 3/CISF where the petitioners are presently working begins from the post of Assistant Commandant.

5. The writ petition and the pending applications are accordingly dismissed.

MARCH 06, 2017/JK

VALMIKI J. MEHTA, J