

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No. 12662 of 2013
Date of decision : 20.08.2018**

Suman Lata

..Petitioner

versus

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. R.K. Malik, Sr. Advocate with
Mr. R.S. Dhull, Advocate
for the petitioner.

Mr. Hitesh Pandit, Addl. A.G. Haryana

RITU BAHRI, J.

In the present civil writ petition, the petitioner has sought quashing of advertisement dated 03.05.2013 (Annexure P-11) whereby the claim of the petitioner for appointment to the post of Multi Purpose Health Worker (F) has been rejected.

Pursuant to advertisement dated 12.03.2010, the Haryana Staff Selection Commission advertised 379 posts of Multi Purpose Health Worker (F) include 164 posts of General Category. Petitioner being eligible for the post of Multi Purpose Health Worker (f) against General category as the petitioner belonging to General Category. On 29.12.2011, petitioner appeared for interview vide Roll No. 005003 before respondent No. 3 and her Roll No. has been shown in the list of selected candidates in General Category but not appointment letter was issued to her on the ground that the

matriculating certificate of the petitioner is not equivalent to Haryana

Education Board. Finally, on the advance notice given by the petitioner, the respondents passed an impugned order dated 03.05.2013 stating that the matriculating certificate of the petitioner is not equivalent to Haryana Education Board, Bhiwani, so appointment letter cannot be issued to her.

Learned senior counsel for the petitioner while referring to the full bench judgment of *Hon'ble Allahabad High Court in a case of Dhanpal and others vs. State of U.P and others, 2013 (14) S.C.T 104* submits that the qualification that the petitioner obtained from the Gurukul University, Vrindavan i.e Adhikari Examination is equivalent to High School Secondary Education Council, U.P Allahabad has to be treated as equivalent to a matriculation certificate. Learned senior counsel further submits that the Board should have applied its independent mind.

On the other hand, learned State counsel has referred to letter dated 24.08.2012 Annexure R-1 whereby in reference to letter dated 06.08.2012, Secretary Haryana Board of School Education, Bhiwani has informed the Director, Health Services, Haryana that examination of Secondary/Senior Secondary conducted by Gurukul University Varindawan is not equal/recognize to any examination of this Board.

Learned State counsel has further referred to affidavit dated 19.01.2018 wherein it has been stated that in **the instructions dated 02.11.1999 it has been clarified that while imparting recognition/equivalence to any examination in the State of Haryana for the purpose of admission/recruitment, the opinion of the State Universities, School Education Board or the Technical Education Board as the case may be, would be sought.** The Board of School

Education Haryana, Bhiwani vide letter dated 03.07.2006 (R-2/T) has conveyed their decision to the Gurukul University, Vrindavan (Mathura), U.P to the effect that the Competent Authority has rejected their application for granting recognition to their examinations.

Heard learned counsel for the parties.

There is no decision taken by the Haryana Education Board to recognize the above said university. As per letter dated 03.07.2006 (R-2), the Competent Authority has rejected the application of the Gurukul University, Vrindavan (Mathura), U.P for granting recognition to their examinations and the petitioner cannot get any benefit of *Dhanpal's case (supra)*, as in the present case, the petitioner passed the Adhikari Examination conducted by Gurukul University, Vrindavan (Mathura) on 20.06.2004 whereas Financial Commissioner and Secretary to Government of Haryana Education Department, Chandigarh had issued instructions dated 02.11.1999 (R-1) and decided that the degrees/diplomas/certificates/examinations recognized by Kurukshetra University, Kurukshetra University, MDU, Rohtak, Guru Jambheshwar University, Hisar, Haryana Agriculture University, Hisar, NDRI Karnal, Board of School Education Haryana, Bhiwani, State Board of Technical Education Haryana would stand recognized in the State of Haryana for Admission and recruitment purpose.

Thereafter, as per letter dated by 03.07.2006 (R-2) written by Assistant Secretary (Academic) to the Director, Secondary Education Haryana, Panchkula, it has been informed that Gurukul Vishwavidyalaya, University, Vrindavan applied to the office for according equivalence but

their request was turned down as the name of the University figures in the

list of bogus universities issued by UGC.

In view of the above discussion made above, the present petition is dismissed.

20.08.2018
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>