

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

CWP No.18866 of 2018(O&M)

Date of Decision:01.08.2018

Gurbachan Singh

... Petitioner

Versus

Union of India and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.B.S.Aulakh, Advocate for the petitioner

RAJIV NARAIN RAINA, J. (Oral)

The petitioner was an applicant for Rural Retail Outlet Dealership advertised by the Hindustan Petroleum Limited. His application has been declined for the reason that he does not hold the minimum qualification of 10+2 as per Section 6 (IV) (b) of the Dealer Selection Guidelines, 2014 which prescribes for Rural Outlet Dealership minimum qualification of 10+2 pass level of examination conducted by Board/University. The petitioner is not 10+2 pass. He possesses the 10th class pass certificate and has been awarded Certificate of Sangeet Bhushan by the Pracheen Kala Kendra, Chandigarh in the Annual Examination held in the year 2010-2011, in the subject of Vocal Classical. No evidence has been produced by way of equivalence with the certificate of Sangeet Bhushan awarded by the Pracheen Kala Kendra as equivalent to 12th Class (+2), except a download from the website of Pracheen Kala Kendra, Chandigarh (Annex. P-12) which only informs that “Bhushan” is a three year course after Prarambhik. The petitioner also does not possess the certificate of Prarambhik. After Bhushan, a candidate can continue studies in a two year course called “Visharad” which is treated to be equivalent to Bachelor Degree in Music. The petitioner has not done “Visharad” which is

treated as equivalent to Bachelor Degree in Music from where an argument could be raised that a higher qualification would include school education upto +2. In the absence of equivalence defined in writing, this Court finds nothing wrong in the Petroleum Company rejecting the application of the petitioner for Rural Outlet Dealership. Accordingly, there is no merit in this petition which is dismissed *in limine* for want of fulfilling the advertised qualification.

01.08.2018
MFK

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned

Yes/NO

Whether Reportable

Yes/No