

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.202 of 2018

Date of Decision: 12.01.2018

Mustkim

... Petitioner

Versus

Haryana Staff Selection Commission  
and another

... Respondents

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

Present: Mr. S.K. Malik, Advocate,  
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

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**RAJIV NARAIN RAINA, J.(Oral)**

1. The OMR sheet has been produced in sealed cover together with the detailed marks sheet in a sealed cover for the post of Station Supervisor relating to advertisement No.7 of 2015 in category No.22. The same is returned after perusal. The petitioner has secured 120 marks in BC-B category whereas the cut off marks to be called for interview in this category is 110. The petitioner qualifies for interview but there is a snag. His experience w.e.f. May 25, 2010 to May 20, 2012 in a private transport cooperative society called The Raniyala Khurd Co-operative Transport Society Limited, Hathin, District Palwal cannot be considered towards experience because the advertised essential qualifications for the post of Station Supervisor as re-advertised are:-

“E.Q.

i) Graduate.

ii) Minimum five year experience in

*Motor Road Transport Government  
or Semi-Government Department or  
Public Undertaking.  
iii) Hindi/Sanskrit upto Matric  
Standard or higher education.”*

2. The rule debars the petitioner's experience in the private motor transport in view of Clause II to be counted for eligibility.
3. Accordingly, mandamus will not issue to the Haryana Staff Selection Commission to interview the petitioner.
4. Moreover, the clarification issued by the Director State Transport, Haryana, Chandigarh addressed to the Secretary, Haryana Staff Selection Commission, Panchkula vide memo No.5910/AE2/E2 dated August 18, 2017 (a copy of which is taken on record as Mark 'A') regarding experience for recruitment to the post of Station Supervisor clarifying in para.3 that the experience earned in Cooperative Transport Societies is not to be considered. Needless to say, the clarification is in tune with the advertised essential qualifications as contained in the 1995 rules of service governing the post of Station Supervisor. Eligibility would include the condition of experience as provided in the rules.
5. As a result, the petition is dismissed. However, in case the petitioner wants to challenge the rule and eligibility criteria he may do so.

**(RAJIV NARAIN RAINA)  
JUDGE**

**12.01.2018**  
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*Whether speaking/reasoned*

*Yes*

*Whether reportable*

*No*