

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Letters Patent Appeal No. 1505 of 2017 (O&M) in
CWP No. 11691 of 2014
Date of decision: 22.1.2018

Ms. Seema

.. Appellant

v.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE B. S. WALIA

Present: Mr. S. P. Chahar, Advocate for the appellant.

...

Rajesh Bindal J.

The order passed by the learned Single Judge dismissing the writ petition, where the claim of the appellant was that she is eligible for the post of Technical Assistant (General Category) for Archaeological and Museum Department, Haryana, has been impugned in the present intra-court appeal.

The posts were advertised in February, 2012. The selections were finalised in January, 2014. The appellant was one of the selected candidate, however, was not given appointment as she was not found to be

eligible for the post. The qualifications prescribed for the post were as under:

“i) At least IInd Class Master Degree in Ancient Indian History with culture or Archaeology or Medieval Indian History.

OR

At least IInd Class Master's degree in Sanskrit or Arabic, Parsian Pali or Prakrit and Bachelor of Arts with Medieval Indian History or Ancient Indian History as one of the subject.

2) Hindi/Sanskrit upto Matric standard.”

Undisputedly, the appellant had not passed her Master Degree in Ancient Indian History with culture or Archeology or Medieval Indian History. As she had passed her post-graduation in M.A. (History), however, it was claimed that she had passed M.Phil in Ancient Indian History and that being the higher qualification, she has wrongly been denied appointment.

A perusal of the Result-cum-Detailed Marks Card of M. Phil (Ancient Indian History) of the appellant shows that there were only two subjects, namely, Research Methodology and Sources of Ancient Indian History. The requirement in the advertisement was Master's degree in Ancient Indian History with culture or Archaeology or Medieval Indian History. Even in her M. Phil course, the appellant had not studied these subjects, hence, that qualification cannot be considered as higher than the one prescribed in the advertisement.

The claim that the appellant had studied the subjects, as mentioned in the advertisement, in her M.A. (History) has no significance as the Rules and the conditions in the advertisement did not prescribe that

any other equivalent qualification could be considered for the purpose of appointment.

There is no error in the order passed by the learned Single Judge. Accordingly, the appeal is dismissed.

(Rajesh Bindal)
Judge

(B. S. Walia)
Judge

22.1.2018
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No