

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

**CWP NO. 2532 OF 2008  
DATE OF DECISION : 09.05.2019**

**Prem Narayan**

**...Petitioner**

**versus**

**State of Haryana and others**

**...Respondents**

**CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Jasbir Mor, Advocate,  
for the petitioner.

Mr. S. K. Vashisth, DAG, Haryana.

Mr. Parth Goyal, Advocate for  
Mr. Anurag Goyal, Advocate,  
for respondents No.2 to 4.

**ARUN MONGA, J. (ORAL)**

1. The short controversy in the present case is that petitioner is seeking parity with one Ajaib Singh who was granted relaxation in qualification of B.Sc (Agricultural) which was pre-requisite for the post of Cane Development Inspector, whereas the petitioner being similarly placed, having got the qualification of B.A with requisite experience, has been denied promotion by respondent No.2-Registrar Co-operative Societies.

2. I have gone through the pleadings of the parties and heard learned counsels for the parties and find that reliance of the petitioner on Rule 6 of the Haryana State Federation of Cooperative Sugar Mills Limited Services Rules, is totally

misplaced to seek parity as prayed in the present petition. The relevant Rule 6 is reproduced herein below :

**"6. QUALIFICATION**

*No person shall be appointed to any post in the service unless he is in possession of qualifications and experience specified in Column 3 of Appendix 'B' to these rules in the case of direct recruitment and those specified in column 4 of the aforesaid in the case of appointment other than by direct recruitment.*

*Provided that the Registrar may on the recommendation of the Board and for special reasons to be recorded in writing relax the qualifications of any person to such extent as he may consider proper."*

4. A perusal of the above leaves no manner of doubt that while the Registrar is empowered to grant relaxation but only in those cases where the Board has recommended the same or certain special reasons have been recorded to grant relaxation of the pre-requisite qualification for the purpose of promotion.

5. Concededly, Ajaib Singh, on whose ground the petitioner is seeking parity, was recommended by the Board for grant of relaxation of the qualification, while the petitioner's case, though placed before the Board, but was never recommended.

6. In the premise, I am of the opinion that the petitioner is not entitled to seek relaxation of qualification in terms of Rule 6, *ibid*. The writ petition is accordingly dismissed. No order as to costs.

7. In the passing, I would like to state that objection has been taken regarding maintainability and the same is kept open to be decided in appropriate proceedings.

**(ARUN MONGA)**  
**JUDGE**

**MAY 09, 2019**

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No