

Sr. No.212

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

CWP No.12079 of 2015 (O&M)

Date of Decision: 27.08.2019

Anil Kumar

... Petitioner

Versus

Punjab Urban Planning & Development Authority and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Raman Goklaney, Advocate,
for the petitioner.

Mr. Sarvesh Malik, Advocate,
for respondents No.1 and 2.

Mr. Ashish Grover, Advocate,
for respondent No.3.

ARUN MONGA, J.(ORAL)

I have heard learned counsel appearing for the respective parties and perused the rival pleadings filed herein. The conjoint position that emerges is that as per the advertisement, the essential pre requisite of 120 hours of computer course/'O' level was that certificate thereof ought to have been awarded by an ISO 9001 certified computer institute.

2. The petitioner pursuant to the said advertisement applied vide application form contained at Annexure P-2 wherein he has specifically filled up in the column under qualification details that he has undergone 120 hours computer course in the year 1990 from Aptech Computer by obtaining 668 marks out of 1000.

3. As far as his seniority in the merit is concerned, it is not disputed that he is more meritorious than private respondent No.3 having secured 70.69 marks as against 68.09 obtained by private respondent No.3. Notwithstanding, the petitioner was not offered appointment to the post of clerk-cum-data entry operator ostensibly on the ground that during the scrutiny of his qualifications, his computer course certificate was not found to be from ISO 9001 certified institute.

4. Learned counsel for the petitioner has strenuously argued that the said disqualification of the petitioner was never conveyed to him and his candidature was arbitrarily rejected by offering appointment to respondent No.3 who is concededly less meritorious.

5. In the premise, after his repeated attempts, he was verbally told that he does not possess the computer certificate from ISO 9001 certified institute.

6. Per contra, learned counsel for private respondent No.3 submits that the petitioner had not submitted his computer course certificate along with the application form and, therefore, his candidature has been rightly rejected.

7. Be that as it may, writ petition is disposed of with a direction to respondent No.2 to re-verify the computer course certificate awarded by Aptech Computers submitted by the petitioner and if the same was submitted by the petitioner along with the application form and if it is found to have been issued by ISO 9001 certified institute then the benefit of the same shall be

accorded to the petitioner and he would be considered for appointment in accordance with his merit by giving him benefit of having secured more marks than private respondent No.3.

8. Needless to say, in case petitioner is found eligible on the basis of computer course certificate then appointment letter shall be issued to him in accordance with law.

9. Let the needful be done within a period of two months.

10. Disposed of in above terms.

27.08.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No