

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

**CWP No.20837 of 2019 (O&M)**

**Date of Decision.14.08.2019**

Prashant Yadav

...Petitioner

Vs

Haryana Public Service Commission

...Respondent

Present: Mr. Prashant Yadav, petitioner in person.

**CORAM:HON'BLE MR. JUSTICE AMIT RAWAL**

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**AMIT RAWAL J. (ORAL)**

**C.M. No.11447 of 2019**

For reasons stated in application, hearing of main case is preponed for today itself.

Application stands allowed.

**C.M. No.11450 of 2019**

Application is allowed.

Annexures P-9 and P-10 are taken on record.

**CWP No.20837 of 2019**

Petitioner, present in person, sought indulgence of this Court for quashing of order dated 11.07.2019 (Annexure P-6) whereby his candidature has been rejected.

He submitted that as per Advt. No.1 of 2015, Haryana Public Service Commission invited applications for filling up 70 posts of 'A' Class Naib Tehsildar (Apprentices) Gazetted Class-II (Group B) in Revenue Department. Petitioner belonging to BCB Category submitted online application and disclosed that he is undergoing 6<sup>th</sup> Semester of Graduation as he was not graduate at that time. Result of aforementioned post was declared in June, 2019 whereby petitioner found place in list of meritorious

candidates. In month of July, 2019, scrutiny of documents was done and by that time, he had already completed graduation (Annexure P-8), thus, sought indulgence of this Court he did not conceal anything and interview is scheduled for today. It is pertinent to mention here that petitioner had applied for above-mentioned posts in pursuance to second chance given by Haryana Public Service Commission vide corrigendum dated 1.5.2018 with rider that candidates, who had applied already were not supposed to apply again.

I have heard petitioner, who is present in person, appraised paper book and of the view that there is no force and merit. It would be apt to reproduce essential qualification prescribed in the advertisement and same reads as under:-

***“1. Essential Qualifications:-***

*(a) Graduate of a recognized University.*

*(b) Knowledge of Hindi/Sanskrit upto Matric standard or higher.*

*The selected candidates shall undergo revenue training as prescribed in section 10 of Haryana Revenue (Group-B) Rules, 1988 and amended in the year 2007.”*

Concededly, petitioner was not graduate at that time. The note given in para No.10 was as under:-

*“Note: The prescribed essential qualifications for minimum and mere possession of the same does not entitle the candidates to be called for interview. Where the number of applications received in response to the advertisement is large and it is not convenient or possible for the Commission to*

*interview all the candidates, the Commission may restrict the number of candidates for interview to a reasonable limit on the basis of qualifications and experience higher than the minimum prescribed in the advertisement or by holding a screening test or any method advised by the Commission.”*

From perusal of qualifications and note, qualifications are minimum and mere possession would not entitle the candidate to be called for interview. Petitioner was not eligible at that time when he submitted application. Be that as it may. Even he has cleared examination, purpose of scrutiny of document is meant for ascertaining eligibility as per Sr. No.1 of Clause under General Qualifications, which reads as under:-

**“General Qualifications:-**

*1. The eligibility of candidates with regard to qualifications and experience etc. will be determined as on 22.08.2015 and age will be determined as on 01.01.2015.”*

Concededly, petitioner has completed graduation in June, 2019 whereas the test was held in April, 2019 i.e. prior to attaining graduation. In my view, though decision of respondents rejecting claim of petitioner is bereft of reasoning but still cannot be interfered with for reasons aforementioned.

Writ petition is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**August 14, 2019**  
Pankaj\*

Whether speaking/reasoned      Yes

Whether reportable      No