

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

CWP No.31690 of 2018(O&M)

Date of Decision: December 15 , 2020.

Sudeep

..... PETITIONER

Versus

State of Haryana and others

..... RESPONDENTS

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Ms. Upasana Dhawan, AAG, Haryana.

Ms. Perna Malhotra, Advocate for
Mr. Prateek Mahajan, Advocate
for respondent No.2.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This writ petition has been filed seeking quashing of communication dated 05.05.2018 (Annexure P9) to the extent that petitioner's candidature was not found valid and he was declared ineligible for not having a 'valid computer diploma' as required under the conditions duly notified in the advertisement dated 02.12.2016 (Annexure P1).

Petitioner had applied for appointment to the post of Field Inspector (Store) pursuant to the advertisement dated 02.12.2016 (Annexure P1). The petitioner claimed that he completed his Matriculation with Hindi and after clearing 10+2, he obtained degree in Bachelor of Commerce (Vocational Course) from MD University, Rohtak and 'computers' was one of the subjects in the degree

course. The eligibility conditions as per advertisement dated 02.12.2016 read as under:-

- (i) Graduate from a recognized university,
- (ii) One year diploma in computer from a recognized University/Institute,
- (iii) Hindi/Sanskrit upto matric standard or higher education.

Petitioner appeared in the written examination held on 30.06.2017. He was declared successful and was called for scrutiny of documents. The petitioner was not found eligible for not having a valid diploma in computer in terms of the eligibility conditions stipulated in the advertisement.

Present writ petition has been filed with the averment that as the petitioner was holding a degree of Bachelor in Commerce (Vocational), which was earlier termed as Bachelor in Commerce, Vocational (Computer Application), therefore, there is no question of insisting upon an additional one year diploma in terms of the advertisement.

Vide order dated 17.12.2018, coordinate Bench had directed that in case final result has not been declared, the petitioner be interviewed provisionally and his result be kept in sealed cover. The petitioner's result in sealed cover has been produced in Court today. Same is opened and it is found that the petitioner has secured a total of 185 marks. The last candidate selected in the general category, is informed to have secured 189 marks and the person in the Waiting List has secured 187 marks. The result is re-sealed and returned to the official present in Court.

In the facts and circumstances as above, I do not consider it necessary

or expedient to deal with the controversy as raised in this petition, as the exercise would be purely academic in view of the result produced before the Court today.

No further orders are called for.

Writ petition is accordingly disposed of. Needless to say, there is no expression of opinion on the merits of the case and the question raised in this writ petition is kept open for adjudication in appropriate proceedings.

December 15 , 2020.
'om'

**(LISA GILL)
JUDGE**

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