

GEETA RANI

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGAPresent : Mr. Mohan Singla, Advocate
for the petitioner.

Mr. Saurabh Mohunta, D.A.G., Haryana.

(Presence marked through video conference)**ARUN MONGA, J. (ORAL)**

Petition herein, under Article 226 of Constitution of India is for issuance of a writ in the nature of *mandamus* directing the respondents to consider the candidature of the petitioner for selection and appointment on the contractual post of Block Resource Coordinator in Public Health Engineering Department, Haryana, being eligible in view of advertisement dated 17.06.2021 (Annexure P-1).

2. Learned counsel for the petitioner submits that pursuant to advertisement dated 17.06.2021 (Annexure P-1) issued by respondent No.3 i.e. Office of Public Health Engineering Department, Government of Haryana, Panchkula, the petitioner being eligible had applied for the contractual post of Block Resource Coordinator. Learned counsel further submits that the petitioner is graduate (B. Tech. in Computer Science) having two years' experience with the respondent-department as 'Saksham Yuva' and hence, fulfills the requirement of post in question, as advertised.

But yet, her candidature has been rejected on the ground that the post

requires graduation in Arts and not in any other stream of commerce, Science or technology. Hence, the present petition.

3. Learned State counsel, on service of advance notice, joins proceedings and opposes the issuance of notice of motion.

4. I have heard learned counsel for the parties and gone through the case file.

5. No doubt, the petitioner being Bachelors in Technology in Computer Science though possesses equivalent qualification i.e. graduation but a bare perusal of the advertisement shows that the stream of graduation sought is 'Mass Communication/Social Sciences*/Rural Studies'.

*(*The Graduate in Social Sciences includes Anthropology, Geography, Communication, Cultural Studies, Economics, Education, History, Political Science, Sociology, Linguistics, Philosophy, Psychology, Social Psychology, Social Work, Development Studies).*

6. In view of the specific requirement as per the advertisement, all those graduates who do not possess degree in the given streams are across board ousted for applying. Therefore, interfering on the sole ground that all those graduates who have degree in whichever stream should be considered will open Pandora box for those who are not before the Court but their candidature has been rejected on the ground of not possessing degrees in the streams specified. Moreover, it is a prerogative of an employer to fix the eligibility criteria depending upon the nature of job, which is in the domain of a policy decision and this Court would ordinarily not interfere in extraordinary writ jurisdiction on that ground alone.

7. As regards the argument of learned counsel for the petitioner qua which he has been over emphatic that the course content of the petitioner while doing B.Tech. matches with the stream of education sought

as per the advertisement, the same is left open to the wisdom of the respondents and in case, they so wish that certain graduates in technology do meet the requirement of any of the streams, they may consider the candidature at their own discretion. It is not for this Court to give the expert opinion by looking into the syllabus of the different streams.

8. No ground for interference by this Court is made out.

9. Dismissed.

February 23, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No