

CWP-7643 of 2022

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

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CWP-7643 of 2022

Date of decision : 20.07.2022

SOHAN KUMAR

..... Petitioner

VERSUS

UNION OF INDIA AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Shvetanshu Goel, Advocate
for the petitioner.

Mr. Harneet Singh Oberoi, Advocate
for the respondents.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner submits that the respondents had invited applications for nominating the personnel for undergoing a training programme in “building system engineering” to be held in Germany in two batches, one starting in May and another starting in September 2022. Learned counsel for the petitioner further submits that petitioner was interested to undergo the said training programme and being eligible in all respects, volunteered himself by giving his biodata for nomination for undergoing the said training programme in Germany. Learned counsel contends that for undergoing the training programme, the petitioner had applied in the category of ITI instructors, who were working in the field of civil electricals wireman and electronics. As per the petitioner, three candidates were to be selected for undergoing the said training programme from the said category and though there were only three

candidates who had volunteered themselves for undergoing the said training program but the respondents chose only two i.e. respondents No.4 and 5 and ignored the petitioner. Learned counsel for the petitioner submits that respondent No.4 has already been sent to Germany for undergoing the said training program which has commenced from May 2022 and the claim of the petitioner qua him stands infructuous.

Learned counsel for the petitioner argues that keeping in view the fact that the 2nd batch of training programme is going to start from September 2022, the petitioner claims that he be sent for the said program in preference to respondent No.5 being more meritorious.

Upon notice of motion, the respondents have filed the reply wherein, the respondents have stated that the experts had chosen two candidates keeping in view the academic and other qualifications of the applicants, which were placed before the said expert committee and in a free and fair manner, respondents No.4 and 5 were chosen to undergo the said training program.

Learned counsel for the respondents submits that as there is no mala fide attached in selecting respondents No.4 and 5, and respondents No.4 and 5 have been chosen by the expert committee, this Court may not interfere with the selection done by the experts.

Faced with this situation, learned counsel for the petitioner submits that the petitioner intends to approach the respondents with a prayer that his academic as well as other qualifications, be considered again by the expert committee so as to adjudge whether, the petitioner is meritorious enough to be sent for training as, there were three candidates who were required to be sent and the respondents have chosen only two candidates.

Learned counsel for the Union of India submits that in case any representation is received from the petitioner, the same will be considered in accordance with law and appropriate order will be passed and in case, the expert committee finds that even the petitioner can be sent for the training being the third applicant, then he will be sent against one vacancy which is still vacant and appropriate orders will be passed in that regard failing which, the petitioner will be conveyed the decision of the expert committee.

As the second batch of training is going to start in September, let appropriate order be passed on the representation, if any, filed by the petitioner within a period of two weeks of the receipt of the same.

(HARSIMRAN SINGH SETHI)
JUDGE

20.07.2022

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Whether speaking/reasoned	Yes
Whether Reportable :	No