

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

CWP NO. 18314 OF 2022

DATE OF DECISION: 21.11.2022

Pawan Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sunil K. Nehra Sirsa, Advocate,
for the petitioners.

Mr. Pankaj Middha, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioners being aspirants for appointment on the post of Electrician against advertisement No.14/2019, are aggrieved for not being selected despite having allegedly got more marks in the written examination than the last selected candidates in their respective categories.

2. On advance service, learned State counsel appears and apprises that petitioner No.1 (SC) has scored 45 marks, whereas petitioner No.2 (BCA) has been awarded 44 marks as against cut off of 40 marks (in SC category) and 42 marks (in BCA category), respectively.

3. What seems to have non-suited the petitioners is their eligibility qualification as per advertisement which is as below:

“Essential Qualification :-

1. *Matric with ITI Certificate in Electrical Trade along with two years experience of basic knowledge of Light Transmission & Heavy Transmission in relevant field; and*
2. *Six months certificate in Computer Applications.*
3. *Hindi/Sanskrit as one of the subject in Matriculation or Higher.”*

Perusal of the above reveals that collectively not only Matric with ITI certificate in the Electrical trade along with two years of experience, but even diploma in Computer applications with minimum six months is also essential.

4. As against the aforesaid requirement, petitioner No.1 is having ITI certificate with three years diploma in Electrical Engineering from Government Polytechnic, Ambala City which is stated to be also having six months' duration of integral subject of computer education. Learned counsel for petitioner further contends that normally ITI Certificate in the electrical trade is having only two years of duration, whereas petitioner No.1 has done a three-year diploma owing to the additional subject of computer education.

5. In the premise, in case a verification of the course content and curriculum is carried out, the same would reveal that petitioner is effectively having six months education equivalent to requirement of diploma, though the same has not been separately awarded since it is integral part of three years of diploma course undergone by him. There seems some merit in the contention. However, it is for the competent authority/ department to look into the same. Accordingly, petitioner No.1 is at liberty to file appropriate representation and it is expected of the competent authority/department to verify the course/curriculum and three-year diploma in the Govt. Polytechnic, Ambala City undergone by

Engineering. In case, it is indeed found that he has successfully undergone six months of computer education, same would suffice the requirement of six months' diploma in basic computer education. It is expected that upon verification if a favorable opinion is formed, petitioner No.1 will be accorded benefit thereof. Till then, one post in question, which is stated to be lying vacant in the category the petitioner had applied, be not filled.

6. As regards petitioner No.2, who has concededly obtained diploma in Electronics and Telecommunications, the same on the face of it does not meet the eligibility requirement. Electronics and telecommunications are altogether different streams as against requirement of Electrical Engineering.

7. In the premise, writ petition *qua* petitioner No.1 is disposed of in above terms and writ petition *qua* petitioner No.2 is dismissed.

NOVEMBER 21, 2022
Shalini

(ARUN MONGA)
JUDGE

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