

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

**CWP No.25664-2016 (O&M)
DATE OF DECISION : 27.04.2022**

Babita	Versus	...Petitioner
State of Haryana and others		...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ravinder Hooda, Advocate,
For the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of certiorari to quash the letter contained at Annexure P-3 whereby her candidature for the post of Yoga Specialist has been rejected.

2. Learned counsel for the petitioner submits that candidature of the petitioner was rejected on the ground that she has completed her Post Graduate diploma as well as Bachelor of Yoga and Naturopathy Science (BYNS) through distance education whereas many candidates, who have been found to be eligible for the said post do not even possess the complete essential qualification and even some of them have also completed their course through distance education. Hence, the instant petition.

3. In the return filed on behalf of the respondents No. 1 to 5, the following stand has been taken in para 2 of the preliminary submissions:

“2. That the petitioner has completed her 1 year PG Diploma in Yoga and Naturopathy from Tamil Nadu Physical Education and Sports University Chennai, Tamil Nadu through distance education and she has also completed her Bachelor of Yoga and Naturopathy (BYNS) through distance education from Techno Global University Shillong, Meghalaya. So her candidature was rightly rejected because

she did not hold the requisite essential qualifications as per above said advertisement/rules. In the advertisement/Rules it is categorically mentioned that the Post Graduate Degree for Diploma in Yoga and Naturopathy of not less than two years duration with regular course only whereas, the petitioner holds one year PG Diploma through Distance Education. Further, it is in the case of non-availability of the candidates having essential qualifications, PG Degree or Diploma through Distance Education holders may be considered eligible and in that case the Honorarium will be reduced from Rs.22,500 to Rs. 20,000/-."

4. Having heard the rival contentions, I am unable to accept the arguments canvassed by the learned counsel for the petitioner that despite petitioner having post-graduation degree, her candidature has been wrongly rejected. In this context, reference may be had to essential qualifications for Yoga Specialist as per Clause 5 of the Advertisement which is hereinbelow:-

- "5. Essential qualifications for Yoga Specialists*
- 1. A bachelor degree in Ayurveda/Yoga and Naturopathy/Unani/Homeopathy/BYNS or in any stream from any university/institutions established by law and recognized by the Govt.*
 - 2. Post Graduate Degree or Diploma in Yoga & Naturopathy of not less than two years duration with regular course only.*
 - 3. Knowledge of Hindi up to Matric Standard.*
 - 4. In case of non-availability of the candidates having essential qualifications, PG Degree or Diploma through Distance Education holders will be considered eligible. In that case honorarium will be reduced from Rs.22,500/- to Rs.20,000.*
- Age up to 62 years"*

5. Perusal of the above leaves no manner of doubt that apart from having Bachelor degree of 3 years and what is required is a Post-Graduate degree in the specified stream of not less than 2 years of duration with regular course only. As against the same, concededly petitioner has appended a certificate which reflects her Post-Graduation Degree in Yoga and Naturopathy of one year.

6. Eligibility conditions as per the advertisement are not under challenge before this Court. Being so, her candidature was rightly rejected
7. In the premise, no grounds for interference are made out.
8. Dismissed.

APRIL 27, 2022
vandana

(ARUN MONGA)
JUDGE

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