

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

Sr. No.117

**Civil Writ Petition No.29190 of 2022  
Date of Decision : December 19, 2022**

Raj Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Vikram Singh, Advocate, for the petitioner.  
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**SUDHIR MITTAL, J. (ORAL)**

The petitioner was appointed as Chowkidar vide order dated 12.02.2020. He has been dismissed from the said post vide order dated 09.12.2022 on the ground that he does not fulfil the educational qualifications prescribed vide Notification dated 13.09.2018. Thus, the present writ petition has been filed.

Learned counsel for the petitioner has submitted that the process for appointment of Chowkidar was initiated on 05.05.2016. One Sahil was appointed as such but his appointment was set aside by this Court vide order dated 13.02.2019 passed in CWP No.5929-2017. Thereafter, the petitioner was appointed on 12.02.2020. Since the process of appointment started in the year 2016, the notification of the year 2018 was not applicable. Thus, the impugned order is illegal and deserves to be set aside.

The petitioner does not dispute that he does not fulfil the educational qualification of 10<sup>th</sup> class pass as prescribed vide Notification dated 13.09.2018. His appointment came to be made in the year 2020 i.e. after the notification dated 13.09.2018 came into force. Merely, because the

initial process of appointment started in 2016, it cannot be said that a subsequent change in the educational qualification prescribed was not applicable. Educational qualification is to be seen as on the date of appointment and thus, the submission made by learned counsel for the petitioner cannot be accepted.

The writ petition has no merit and is dismissed.

December 19, 2022

*Ankur*

(SUDHIR MITTAL)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |