

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

109

CWP-1650-2023

Date of Decision:27.01.2023

SURENDER KUMAR

...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Satish Saini, Advocate for the petitioner.

Mr. Pankaj Middha, Addl. A.G., Haryana.

\*\*\*

**SUVIR SEHGAL, J.**

Petitioner has approached this Court under Article 226/227 of Constitution of India *inter alia*, seeking issuance of a writ in the nature of certiorari for setting aside the final result declared on 09.11.2022, Annexure P-3, for the post of Carpenter in Public Works Department (B & R), whereby his name has not been included in the final result on the ground that he does not possess the essential experience of 03 years. He has further sought issuance of a writ in the nature of mandamus for directing the respondent authorities to consider his candidature for the post and to revise the final result, Annexure P-3.

Counsel for the petitioner submits that the petitioner is an applicant for the post of Carpenter vide advertisement No.1/2020, Annexure P-1. He submits that the petitioner cleared the written

examination and possesses the essential qualification, but he has been declared to be ineligible as the respondents have failed to take into consideration the experience certificate, Annexure P-6, on the ground that he was undergoing training in the workshop of Haryana Roadways at Chandigarh and was not doing any work. Counsel for the petitioner submits that similarly placed candidate, Mahesh Kumar, had approached this Court by filing CWP-27247-2022. This petition has been disposed of by this Court vide judgment dated 29.11.2022, Annexure P-9, and its operative part is as under:-

*“6. From the record appended with the writ petition, it appears that petitioner was non-suited essentially on the ground of lacking requisite work experience as a Carpenter, and that too, without making any verification for his previous employer who is also State Government entity being Haryana Roadways, Narnaul. Petitioner has appended a copy of certificate dated 26.11.2018 (Annexure P-6) which reflects that he had undergone an apprenticeship training in the Carpenter trade from 15.10.2016 to 14.10.2018. On a Court query, it transpires that said apprenticeship training is a paid training and petitioner was made to work as a Carpenter for 2 years. Therefore, prima facie it appears that he possesses 2 years of work experience as a Carpenter though as an apprentice. Not only that, learned counsel for the petitioner states that the selection to the post of apprenticeship in Haryana Roadways, Narnaul was made after written examination as well as after verifying skills of the petitioner in the Carpenter trade. Prior thereto, petitioner is stated to have worked as a Carpenter from 02.08.2014 to 01.08.2015 as per his work experience certificate dated 08.08.2015 (Annexure P-5) and that too does not seem to have been verified before counting his total experience of 3 years. Had the needful been done, petitioner perhaps would have been found eligible.*

*7. Be that as it may, writ petition is disposed of with the direction to the respondents to verify the work experience of the petitioner. In case, it is found that he had indeed rendered work as a*

*Carpenter, benefit thereof be given to him to determine his eligibility.*

*8. Till the decision is taken on the eligibility of the petitioner, one post in question, subject to it being available as on today, shall not be filled up.*

*9. Needful exercise be carried out within a period of 2 months from today.”*

Advance copy of the petition has been served upon the State.

State counsel is not in a position to dispute the submission made by counsel for the petitioner more so as he was representing the official respondents in the above mentioned matter.

In view of the above, instant petition is disposed of in the same terms as CWP-27247-2022.

27.01.2023  
*sheetal*

(SUVIR SEHGAL)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |