

CM-11398-CWP-2023 in/and  
CWP-2251-2019

2023:PHHC:099366

1

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(209)

CM-11398-CWP-2023 in/and  
CWP-2251-2019  
Date of Decision : 02.08.2023

Dilawar Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Ms. Priyanka Vij, Advocate for the petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

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**Harsimran Singh Sethi J. (Oral)**

**CM-11398-CWP-2023**

Present application has been filed for preponing the date of hearing of the main petition, which now stands adjourned to 10.01.2024.

Notice of the application to the counsel opposite.

Mr. Saurabh Mohunta, learned Deputy Advocate General, Haryana, who is present in Court, accepts notice on behalf of respondent-State and raises no objection for the grant of prayer as made in the present application.

Keeping in view the above, application is allowed and the hearing of the main petition is preponed from 10.01.2024 to today.

**CWP-2251-2019**

1. The present petition has been filed by the petitioner with a prayer that he be considered eligible for competing under the EBPGC category against the post of Station Supervisor, as advertised vide Advertisement No. 7 of 2015 dated 10.07.2015.

2. Learned counsel for the petitioner submits that the petitioner had applied against the post of Station Supervisor and was issued an admit card and was allowed to appear in the written test. Learned counsel for the petitioner further submits that the petitioner cleared the written examination and was thereafter called for scrutiny of the documents so as to ascertain his eligibility for the post in question but the respondents declared that the petitioner is not eligible and, therefore, was not called for interview, which action on the part of the respondents is bad as the petitioner is fully eligible to compete against the post of Station Supervisor.

3. Upon notice of motion, the respondents appeared and filed their reply, wherein, it has been mentioned that the petitioner was found ineligible at the time of scrutiny of the documents keeping in view the eligibility prescribed for the post of Station Supervisor. Learned counsel for the respondents argues that as per the essential qualification mentioned in the advertisement, five years experience in Motor Road Transport in a Government or Semi Government Department or Public Undertaking was required for a candidate to be eligible for the post in

question, whereas, the experience certificate produced by the petitioner is of a private company, which is not admissible, hence, the grievance being raised by the petitioner qua wrongly being declared ineligible is liable to be rejected.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. As per the Advertisement No. 7 dated 10.07.2015, under Category No. 22, the post of Station Supervisor was advertised. There were 38 posts to be filled up for which the essential qualifications were given, which are as under :-

- “E.Q.**
- i) *Graduate.*
  - ii) *Minimum five year experience in Motor Road Transport Government or Semi-Government Department or Public Undertaking.*
  - iii) *Hindi/Sanskrit upto Matric Standard or higher education.”*

6. A bare perusal of the essential qualification mentioned above shows that five years experience in a Motor Road Transport in a Government or Semi Government Department or Public Undertaking was required for, in order to eligible for the post in question, whereas it is conceded before this Court that the experience certificate submitted by the petitioner is of a private institution. Hence, the experience certificate given by the petitioner does not confirm to the eligibility condition prescribed in the advertisement.

7. That being so, merely that the petitioner was allowed to appear in a written test, will not confer any right to be declared eligible in the absence of fulfilling the minimum eligibility conditions required for as envisaged in the advertisement.

8. Keeping in view the above, the grievance being raised by the petitioner is not sustainable and the prayer made by the petitioner in the present petition cannot be accepted.

9. Dismissed.

August 02, 2023  
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(HARSIMRAN SINGH SETHI)  
JUDGE

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*