

125 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.3045 of 2023 (O&M)
Date of decision :14.02.2023

Anand Kumar Petitioner

versus

State of Punjab & ors. Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Mandeep Singla, Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

Present writ petition has been filed seeking writ in the nature of certiorari for quashing of speaking order dated 19.01.2023 (Annexure P-10) and merit list (Annexure P-6) whereby the candidature of the petitioner for the post of Forensic Officers pursuant to public Notice dated 17.08.2021 (Annexure P-1) stands rejected.

Respondent vide Advertisement bearing No.5 of 2021 invited applications for 634 vacancies of Civilian Support Staff (Non-Uniformed) in the Punjab Bureau of Investigation (PBI) including 24 posts of Forensic Officers. The minimum qualification and experience as notified reads as under :-

Name of the Post	Educational Qualification	Experience
Forensic Officer	Bachelor's degree in Forensic Science or equivalent from a Central or State Government recognized University or Institution.	Minimum 07 years of relevant work experience in any Government or Quasi-Government Forensics Organization or Central or State Government Accredited Forensic Science Laboratory (ies) or Institute (s) or Central or State Government Chemical Examiner Laboratory(ies) or any Public Sector Laboratory(ies).

The petitioner applied for the same. The candidature of petitioner stands rejected by the respondent recording following infirmities :-

Sr. No.	Name of the candidate	Roll No.	Objection raised by the candidate	Remarks by Experts	Comments as per record
1	Anand Kumar S/o Sh. Sahi Ram R/o Chak 1-A, Chhoti, Ward No.28, Tehsil and District Sri Ganga Nagar (Rajasthan)	210500006792 LN	To recheck and reconsider the final merit list.	Rejected because ● Bachelor's Degree is not provided by the candidate. ● Experience provided by the candidate is from private handwriting and Fingerprint expert.	The experience submitted by the candidate was found to be irrelevant by the Domain Expert during the process of document verification and therefore the candidate did not qualify for consideration in provisional merit list for the post of Forensic Officer.

Learned senior counsel for the petitioner while attacking the reasoning as recorded submits that the same is *per se* in the teeth of requirement as notified in the public notice. He submits that the requirement of the experience is:

“in any Government or *quasi* Government Forensic organization; or Central or State Government Accredited Forensic Science Laboratory(ies) or institutes; Central or State Government Chemical Examiner Laboratory(ies); or any Public Sector Laboratory(ies).”

He submits that 'institute' as referred has been used independently and the same shall connote any institute. He submits that the grammatical composition of the experience as mentioned in public notice is such that there is no comma used and thus institute has to be construed as separate and independent expression.

I have heard learned senior counsel for the petitioner and have gone through the records of the case.

Plea raised at the hands of the learned senior counsel for the petitioner is totally misplaced. He is right that no comma has been used and it is for this reason only that the word 'institute' has to be read in continuation of the

expression/phrase Central or State Government Accredited Forensic Science Laboratory(ies) or Institute(s). Meaning thereby the requisite experience must be in Central or State Government Accredited Forensic Science Laboratory or in State or Central Government or State Government Accredited Forensic Science Institute. Like 'Laboratory', 'institute' should also be Central or State Government accredited. Admittedly petitioner does not possess experience in any such institute.

In view of the aforementioned fact, no ground to interfere with the impugned order is made out.

Petition stands dismissed.

(PANKAJ JAIN)
JUDGE

14.02.2023
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No