

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

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**CWP-3747-2023 (O&M)
Date of decision: 23.02.2023**

Rekha

...Petitioner

Versus

Haryana Staff Selection Commission and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. S.S. Randhawa, Advocate for
 Mr. Samrat Malik, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition is for issuance of a writ in the nature of certiorari quashing the order dated 07.02.2023 (Annexure P-21) vide which the demand notice of the petitioner was rejected and directing the respondents to consider the petitioner eligible for the post of Mechanic Computer Hardware Instructor (Practical) as she is having the experience certificates dated 02.04.2016 and 30.11.2019 and further directing the Commission to recommend her name to the respondents for appointment.

Learned counsel for the petitioner submits that being eligible, the petitioner had applied for the post of Mechanic Computer Hardware Instructor (Practical); that the petitioner appeared in the written examination on 25.12.2021 and the result thereof was declared on 22.02.2022, wherein the petitioner was the sole qualified candidate; that the final result was declared on 25.07.2022, but no candidate was selected on the ground of non-

availability of suitable candidate(s) and thus, the candidature of the petitioner has wrongly been rejected. It is further contended that petitioner sent three representations dated 27.07.2022, 01.08.2022 and 18.08.2022 to the Chairman of the Commission and also served an advance notice of writ petition-cum-final demand notice along with experience certificates dated 02.04.2016 and 30.11.2019, but when no decision was conveyed by the respondents to the petitioner, she had preferred CWP-21248-2022, which was disposed of by a Coordinate Bench of this Court vide order dated 16.09.2022 with a direction to the respondents to decide the demand notice dated 05.09.2022 (Annexure P-16) within a period of 04 weeks and that vide order dated 07.02.2023 (Annexure P-21) passed in compliance of aforesaid order dated 16.09.2022, respondent No.1-Secretary, Haryana Staff Selection Commission, rejected the claim of the petitioner stating therein that the petitioner is not having the requisite qualification.

Learned counsel for the petitioner has drawn the attention of this Court towards National Trade Certificate dated 16.10.2017 (Annexure P-4) issued by the Government of India, Ministry of Labour and Employment, National Council for Vocational Training, wherein it is specifically mentioned that the petitioner has passed the prescribed test in the trade of Information Tech. & Electronic System Maintenance.

I have heard the learned counsel for the petitioner at length and have also gone the case file as well as the order dated 07.02.2023 passed by respondent No.1.

It is a case, wherein the petitioner has passed the prescribed test

in the trade of Information Tech. & Electronic System Maintenance (Annexure P-4), whereas one of the essential qualifications for the post of Mechanic Computer Hardware Instructor (Practical), is National Trade Certificate/National Apprenticeship Certificate in Mechanic Computer Hardware with Craft Instructor Training Court (CITC) in relevant trade with five years practice/teaching experience including training period. Since the petitioner does not possess the requisite essential qualification, no fault could be found in the impugned order.

In view of the above, the present petition is dismissed as this Court does not find any circumstance to interfere.

(HARNARESH SINGH GILL)
JUDGE

23.02.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No