

CWP-4613-2023 (O&M)

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126

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

CWP-4613-2023 (O&M)

Date of Decision: 09.03.2023

PARVEEN KUMAR

.. Petitioner

Vs.

PUNJAB NATIONAL BANK AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vikram Rana, Advocate for the petitioner.

Mr. Gaurav Goel, Advocate and

Mr. Navjeet Singh, Advocate for respondents No.1 and 2.

...

Manoj Bajaj, J. (Oral)

Parveen Kumar-petitioner has invoked the writ jurisdiction of this Court under Article 226 Constitution of India with a prayer for issuance of a writ in the nature of Certiorari for quashing the selection process of filling up 24 posts of part-time Sweepers initiated through advertisement dated 12.06.2021 (Annexure P-1) qua respondent No.3, being violative of Articles 14 and 16 Constitution of India as well as the eligibility conditions.

Learned counsel submits that respondent-bank advertised 24 posts of part-time Sweepers by publishing the advertisement dated 12.06.2021 and as per the required eligibility, the candidate must not possess the matriculation certificate, but by violating the required conditions of educational qualification, respondent No.3, namely, Ashok Kumar has been appointed. He submits that the petitioner is 80% disabled person as per the disability certificate (Annexure P-7), who also failed in Class 8th examination, therefore, being eligible for the post has been illegally ignored

for appointment to the post of Sweeper. Learned counsel has drawn the attention of the Court to the representations Annexures P-5 and P-6 to submit that despite various requests, the grievance of the petitioner has not been addressed by the Senior Manager, Punjab National Bank-respondent No.2. He craves the indulgence of this Court under writ jurisdiction.

Upon hearing the learned counsel and considering the material on record, this Court finds that the grievance raised by the petitioner relating to the violation of the educational qualification is without any merit, as the educational qualification mentioned in the advertisement dated 12.06.2021 (Annexure P-1) has also clarified that even an illiterate person would be eligible for the post of Sweeper. The argument that a person with a matriculation certificate cannot be appointed to the post of Sweeper is misplaced as a higher qualification cannot be construed adversely to the candidature of an applicant, particularly, when there is nothing in the advertisement to show that such persons are prohibited from applying for the said post.

During the course of hearing, it is also not disputed by learned counsel that the process of selection stood completed long back in October, 2021, therefore, it is evident that the petitioner has invoked the writ jurisdiction of this Court after a long unexplained delay.

Resultantly, the writ petition is dismissed.

09.03.2023 <i>Jasmine Kaur</i>		(MANOJ BAJAJ) JUDGE
Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No