

In the High Court of Punjab and Haryana, at Chandigarh

1. Civil Writ Petition No. 28050 of 2013

Devinder Singh Ghangas and Others
... Petitioner(s)

Versus

The State of Punjab and Others
... Respondent(s)

2. Civil Writ Petition No. 414 of 2014

Sandeep Singh
... Petitioner(s)

Versus

The State of Punjab and Another
... Respondent(s)

AND

3. Civil Writ Petition No. 9604 of 2014 (O&M)

Varinder Kumar
... Petitioner(s)

Versus

The State of Punjab and Another
... Respondent(s)

DATE OF DECISION: 16.03.2023.

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Rajinder Sharma, Advocate
for the petitioner(s).

Mr. R.K.Kapoor, Additional Advocate General,
Punjab, for the respondent No. 1 and 2 (In CWP-28050-2013)
and for the respondents (In CWP-414-2014 and
CWP-9604-2014).

Anil Kshetarpal, J.

1. These three identical writ petitions have come up for disposal.

The learned counsel representing the petitioners admits that all these three

connected writ petitions can be disposed of by a common order.

2. The petitioners, in substance, prays for setting aside the select list for the appointment to the post of Radiographers. The relevant facts, in brief, are being noticed from the lead case i.e. Civil Writ Petition No. 28050 of 2013. This writ petition has been pressed only on behalf of the petitioner No.1 to 4.

3. The candidature of the petitioners has been rejected on the ground that as per the recruitment notice they are not qualified. Hence, the basic and professional qualification as required in the recruitment notice, is extracted hereunder:-

“1. Should have passed the Senior Secondary Part II Examination in Science or its equivalent from recognized university or institution.

2. Should possess diploma in Radiography from recognized university or institution.”

4. The petitioners, after having passed their 10+2 examination in the vocational stream, have completed their B.Sc. (Medical Technology) degree from the various universities/institutions.

5. It is the stand of the State that the course contents of 10+2 examination in vocational stream does not contain the subjects of Physics, Chemistry and Biology which is the basic requirement of the said post. Hence, the petitioners are not eligible to be appointed.

6. Heard the learned counsel representing the parties at length and with their able assistance, perused the paper-book.

7. The learned counsel representing the petitioner submits that once the various universities are treating the 10+2 examination in vocational

stream as equivalent to the 10+2 in science stream, therefore, the rejection of their candidature by the respondents is a wrong action.

8. On the other hand, it is the stand of the learned State counsel that as per the recruitment notice, the candidates were required to qualify the Senior Secondary Part-II Examination in Science which includes the study of subjects of Physics, Chemistry and Biology. He submits that the State does not consider the qualification of 10+2 examination in vocational stream equivalent to 10+2 examination in science stream.

9. This Court has considered the submissions of the learned counsel representing the parties. It is the State who is to employ the Radiographers. The State has specifically notified the educational requirement for the post. Merely because certain universities or institutions are treating the qualification of 10+2 examination in vocational stream as equivalent to 10+2 examination in science stream for the purpose of admission to get higher qualification, however, such equivalence shall not bind the government to consider the same.

10. Keeping in view the aforesaid facts and discussion, no ground to issue the writ as prayed for is made out. Hence, all the writ petitions are dismissed.

11. The miscellaneous application(s) pending, if any, shall stand disposed of.

**(Anil Kshetarpal)
Judge**

March 16, 2023
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No