

2023:PHHC:163840
CWP-24698-2016 (O&M)
Date of Decision: 20.12.2023

Rajveer Sharma

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Nitish Bhatia, Advocate for the petitioner.

Ms. Shivani Sharma, DAG, Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner applied for the post of Clerk under the advertisement issued by the Subordinate Service Selection Board, Punjab. However, he was declared ineligible at the time of interview on the ground that he did not possess a valid graduation degree.

2. Learned counsel for the petitioner submits that the petitioner had acquired three years Diploma in Modern Office Practice from Punjab State Technical Education and Industrial Training, Chandigarh and thereafter passed B.A. with Punjabi as compulsory subject from Punjabi University, Patiala. The university vide its letter dated 02.08.2016, had declared the petitioner's qualification of three years Diploma in Modern Office Practice and passing of B.A. with Punjabi as compulsory subject as equivalent to first degree graduation for the purpose of employment and higher studies in the State University. Learned counsel further submits that a letter was also sent

in this regard by the Punjabi University, Patiala to the Deputy Director, Technical Education, in response to the director's letter sent to the Registrar, Punjab University, Punjabi University and Guru Nanak Dev University and he, therefore, submits that his qualification of Diploma in Modern Office Practice has to be treated as equivalent to B.A./B.Com. Learned counsel for the petitioner further submits that the petitioner acquired M.B.A. from Punjab Technical University in the year 2011, therefore, the petitioner's qualification should be treated as equivalent to graduate.

3. The respondents have filed their reply and have pointed out that while the University may for the purpose of service and for appointment in their universities declare the qualification of the petitioner equivalent to that of B.A./B.Com and may also allow higher studies in post-graduation, the service selection board, while issuing an advertisement did not prescribe equivalent qualification to that of post-graduation for the purpose of eligibility. Thus, as per the advertisement, the petitioner who may have acquired equivalent qualification cannot be taken into consideration.

4. I have considered the submissions.

5. While it may be true that the petitioner's qualification is equivalent to that of graduation and on the said basis he may have also done post-graduation in management, the said qualification as advertised limits to those who have done graduation alone and excludes equivalent qualification. The petitioner cannot be given the said benefit as the terms of the advertisement are sacrosanct for all the applicants. If the word 'equivalent qualification' is added in the advertisement, apart from the petitioner there

may be others who would have applied. Singling out the petitioner alone and directing the respondents to consider his case for appointment as a Clerk, cannot be done.

- 6. The writ petition being devoid of merit is dismissed accordingly.
- 7. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

20.12.2023
rajesh

- 1. Whether speaking/reasoned? : Yes/No
- 2. Whether reportable? : Yes/No