

218

***2023:PHHC:152609***

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

**CWP-22883-2018  
DECIDED ON: 30.11.2023**

**VIKAS**

**.....PETITIONER**

**VERSUS**

**STATE OF HARYANA AND ORS.**

**.....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. G.S. Gopera, Advocate  
for the petitioner.

Mr. Sandeep S. Mann, Addl. AG, Haryana.

\*\*\*\*\*

**SANDEEP MOUDGIL, J (ORAL)**

1. The jurisdiction of this Court has been invoked under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *Mandamus* directing the respondents to treat the qualification of B-Tech (Electronics & Communication Engineering) dated 31.12.2011, Annexure P-3 (Colly) with first division, being of a four year duration as better and higher qualification than the prescribed and advertisement qualification of Graduation of a three years duration only as well as the second qualification of Advance Diploma in Computer Application dated 18.02.2015, (Annexure P-4 Colly), being of one year duration as better and higher qualification than the prescribed and advertisement qualification of six months certificate course in Computer for his selection and appointment as

Auction Reader under Category No. 19 of the Advertisement No. 7/2015 dated 10.07.2015, Annexure P-5.

2. Learned counsel for the petitioner has contended that he has not been called for interview for the post of Auction Recorder on the ground that he does not have requisite Computer Diploma. He relies upon Annexure P-3 to assert that he has got B.Tech degree in Electronics and Communication Engineering, which is higher qualification than the diploma required as per the advertisement dated 10.07.2015 (Annexure P-5), which reads as under:-

**“Cat. No.19: 269 posts of Auction Recorder (Re-Advertised)**

(Gen=71, SC=44, BCA=33, BCB=20, SBC=27, EBPG=27, ESM-Gen=19, ESM SC=6, ESM BCA=6, ESM BCB=8, OSP Gen=2, OSP SC=3, OSP BCA=3) (PHC VH=2, HH=1, OH=1)

EQ: i) Graduation with 50% marks from a recognized University or its equivalent with six months certificate in Computer from a recognized Institution;

ii) Hindi/Sanskrit upto Matric Standard or Higher education.”

3. Mr. Mann, learned State counsel submits that the certificate uploaded along-with the application and submitted as well at the time of scrutiny of documents as obtained from The Global Institute of Information Technology, Karnal Haryana, which is only registered under NCT & Ministry of Labour Govt. of India i.e. not from any approved institute, as is made available in the list of approved institute Annexure R-2/2. The Education obtained during the Graduation degree cannot be termed to be at par with the separate diploma course, which is the requisite qualification for the post of Auction Recorder as per Advertisement (Annexure P-5), therefore, the petitioner cannot take advantage and benefit out of the said degree of B.Tech. As far as the certificate Annexure P-4 is concerned, i.e. not from any approved institute as per list Annexure R-2/2.

4. No other argument has been raised by either of the parties.
5. Heard learned counsel for the respective parties.
6. Admittedly, the petitioner has applied for the post of Auction Recorder and as per the Advertisement dated 10.07.2015 (Annexure P-5), requisite qualification for the post reads as under:-

i) Graduation with 50% marks from a recognized University or its equivalent with six months certificate in Computer from a recognized Institution;

ii) Hindi/Sanskrit upto Matric Standard or Higher education.”

7. The petitioner is a B.Tech in Electronics and Communication but the said degree has not been recognized for the post in question, as is evident from Annexure R-2/2. Further the petitioner has attached the certificate of Advance Diploma and Computer Application from the Global Institute of Information Technology, which is not a approved/recognized institution as per list Annexure R-2/2, but is merely registered under NCT and Ministry of Labour, Government of India. Thus, it can be safely infer that the petitioner does not possess the requisite qualification for the post in question and is not eligible in terms of the qualifications prescribed in the advertisement.

8. In view of the discussions made hereinabove, this Court does not find any merit in the present petition. Hence, the same is dismissed with no order as to costs.

(SANDEEP MOUDGIL)  
JUDGE

30.11.2023  
Sham

*Whether speaking/reasoned*      *Yes/No*  
*Whether reportable*              *Yes/No*