

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**  
**Sr. No.: 119**

**Civil Writ Petition No.18711 of 2023**  
**Date of Decision: August 25, 2023**

Sanjay Kumar

..... PETITIONER(S)

*VERSUS*

State of Haryana and another

..... RESPONDENT(S)

...

**CORAM:**      **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

...

**PRESENT:** - Mr. Sunny Singla, Advocate for the petitioner.

Mr. Ravinder Singh Budhwar, Addl. AG, Haryana.

. . .

**Tribhuvan Dahiya, J. (Oral)**

This writ petition has been filed seeking a writ of *mandamus* directing the respondents to consider the petitioner's case for appointment on the post of Nursery Teacher as advertised vide advertisement, Annexure P-1, by granting age relaxation.

2. It is contended by the learned counsel that the petitioner's application for the post has not been accepted vide communication, Annexure P-2, by declaring him ineligible being more than forty two years of age.

3. Learned State counsel, appearing on advance notice, submits that the advertisement in question has been issued by the Haryana Kaushal Rozgar Nigam for recruiting twelve Nursery Teachers/ECCE Counsellors on contract for a private company, namely, ALTSEO Private Limited. The maximum age of forty two years and other conditions for the posts advertised have been notified as per demand of the company for which the

manpower is being recruited through the Nigam.

4. In view of the statement made by learned State counsel, it is apparent that the Nursery Teachers are being recruited for a private company as per its requirements. The Nigam is only a service provider in recruiting the manpower. This petition, by impugning rejection of petitioner’s candidature on account of a condition of recruitment prescribed by the company, is essentially seeking a prerogative writ against a private entity which is not permissible. Besides, the company has not even been impleaded as a party respondent.

5. In view thereof, the petition is not maintainable and, accordingly, stands dismissed.

(Tribhuvan Dahiya)  
Judge

August 25, 2023  
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|------------------------------------|----------------|
| <u>Whether Speaking/ Reasoned:</u> | <u>Yes/ No</u> |
| <u>Whether Reportable:</u>         | <u>Yes/ No</u> |