

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.21858 of 2023

Decided on :29.11.2023

Balkar Singh

.....Petitioner

VERSUS

Central Administrative Tribunal & Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL  
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

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

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DEEPAK SIBAL, J (ORAL)

1. Through the present petition, challenge is made to the judgment dated 19.07.2023 passed by the Central Administrative Tribunal Chandigarh Bench, Chandigarh (for short 'the Tribunal') dismissing the Original Application (for short-OA) filed by the petitioner through which he has challenged the action of respondent-Post Graduate Institute of Medical Education and Research, Chandigarh (for short 'the institute') declaring him ineligible for appointment as a Sanitary Inspector.

2. The facts in brief which are required to be noticed are that through advertisement dated 03.06.2012, the institute invited applications for appointment

to several Group B and Group C posts which included 03 posts of Sanitary Inspectors. Out of the said three posts, two posts were to be filled up from the general category and the remaining post was reserved for members of the Scheduled Tribe. The prescribed qualifications were matriculation or equivalent from a recognized University/Board, certificate of Sanitary Inspector Course from a recognized Institution and at least 04 years experience in the line, preferably in a hospital of repute.

3. The petitioner applied for the consideration of his candidature against one of the posts of Sanitary Inspector to be filled up from the General Category. On the declaration of the final results, the petitioner's candidature was rejected by the institute on the ground that he did not have to his credit the required experience.

4. Challenging the rejection of his candidature, the petitioner knocked the doors of the Tribunal. The case set up by the petitioner was that from 01.12.2003 till 15.12.2005, he had experience of working in Goel Nursing Home, Kaithal and thereafter from 09.05.2009 as a Sanitary Attendant Grade-III in the respondent Institute. Therefore, the petitioner had experience of over 5 years and 2 months in the line and was thus wrongly declared to be ineligible. The Tribunal dismissed the petitioner's OA holding that the experience certificate produced by the petitioner of having served in Goel Nursing Home, Kaithal was vague and that his experience as Sanitary Attendant Grade III in the Institute could also not be considered to be in the same line. It is in these circumstances that through the instant petition, the petitioner challenges before this Court the dismissal of his OA by the Tribunal.

5. Learned counsel for the petitioner has been heard and with his able assistance, we have also gone through the record of the case.

6. In the advertisement in question the qualifications prescribed by the institute for the post of Sanitary Inspector are as follows:-

- (i) Matriculation or equivalent from a recognized University/Board.
- (ii) Certificate of Sanitary Inspector Course from a recognized Institution.
- (iii) At least 04 years experience in the line preferably in a hospital of repute.

7. The last date to apply was 03.07.2012.

8. The petitioner's candidature has been rejected by the institute on the ground that he does not possess four years experience in the line.

9. The petitioner relies on a certificate by Goel Nursing Home, Kaithal, as per which he has served in the said Nursing Home from 01.12.2003 till 15.12.2005. In addition thereto, he says that w.e.f. 09.05.2009, he served as Sanitary Attendant Grade III in the respondent Institute.

10. The experience certificate by Goel Nursing Home has been perused. It does not certify as to against which post the petitioner was working in the Nursing Home. No appointment or relieving letter from Goel Nursing Home has also been produced by the petitioner. Therefore, the said certificate has rightly been discarded by the Tribunal.

11. Even if the experience gathered by the petitioner while serving as a as Sanitary Attendant in the respondent Institute is taken to be experience in the same line, the same would not make the petitioner eligible for consideration of his candidature as such experience is only of 03 years, 01 month and 24 days against

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the requirement of 04 years. Therefore, we leave this issue open to be decided in some other matter.

12. In the light of the above, we are disinclined to interfere with the judgment challenged before us.

13. Dismissed.

( DEEPAK SIBAL )  
JUDGE

( SUKHVINDER KAUR )  
JUDGE

29.11.2023  
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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |