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

CWP-27898-2023

Date of Decision: 13.12.2023

Balvinder Verma

. . . . Petitioner

Vs.

State of Punjab and another

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Ms. Ayushi Parwar, Advocate for
Ms. Chahit Bansal, Advocate,
for the petitioner.

Mr. Paramjit Batta, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. By way of present petition, petitioner claims consideration for appointment on the basis that he has passed Punjabi from the Rajasthan State Open School on 24.08.2023. It is submitted that the respondents are not considering the said certificate and therefore the petitioner is being deprived of his rightful claim for selection.
2. I have considered the submissions.
3. This Court finds that the petitioner participated in the selection process for the post of Veterinary Inspector for which advertisement was issued and the last date for applying online was 27.03.2023. After the exam, the candidates were required to appear for counseling and verification of documents on 01.06.2023/02.06.2023 vide letter dated 24.05.2023, but the petitioner did not appear on the said date, and it is stated that the petitioner was suffering from illness. He submitted a medical report showing that he was unwell and was directed to take rest for 15 days.

However, when the petitioner approached the respondents with all his documents, the respondents refused and rejected the candidature of the petitioner as he passed the subject of Punjabi after the last date of submission of application form.

4. It is noticed that as on the last date of application form, the petitioner did not possess the qualification of having passed Punjabi in the Secondary examination. It is also noticed that even on the day of verification i.e. 01.06.2023/02.06.2023, the petitioner did not possess the qualification of having passed the Punjabi examination.
5. Petitioner has placed on record a certificate stated to have been issued from Rajasthan State Open School dated 24.08.2023 showing that he has passed Punjabi examination. It is submitted that the same shall be read to be a sufficient qualification.
6. However, considering the law as settled in the case of *Ashok Kumar and others vs. Depinder Singh Dhesi and others, reported in 2019(8) SCC 280*, a person has to possess the qualifications as on the last date of submission of application form, which the petitioner did not possess and in view thereof, the action of the respondents in rejecting the candidature of the petitioner cannot be said to be unjustified.
7. Writ Petition fails and is accordingly *dismissed*.

(SANJEEV PRAKASH SHARMA)
JUDGE

December 13, 2023

Mohit goyal

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No