

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221 (04 cases) +
222 (01 case)

(1) CWP-20328-2018
Date of Decision :02.05.2024

Jitender Nain

...Petitioner

Versus

State of Haryana and others

...Respondents

(2)CWP-24722-2018

Vishal Gupta

...Petitioner

Versus

State of Haryana and others

...Respondents

(3)CWP-4936-2022

Mukesh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

(4)CWP-4981-2022

Rajesh Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

222

(1) CWP-23668-2018

Prem Kumar

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Moudgil, Advocate for the petitioners.

Mr. Harish Rathee, Senior DAG, Haryana.

Mr. Kanwal Goyal, Advocate & Ms. Sheena Dahiya, Advocate
for the respondent-HPSC.

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Harsimran Singh Sethi, J. (Oral)

1. In this bunch of petitions, challenge is to the declaration that the petitioners are ineligible for the post of Deputy Director Horticulture (Class-I) as per the qualification prescribed in the advertisement dated 21.07.2018 (Annexure P-1) issued by the respondents.

2. Learned counsel for the petitioners submits that the petitioners are having equivalent qualification for the said post hence, the petitioners should be allowed to compete for the post in question.

3. Learned counsel for the respondents on the other hand submits that qualification which has been prescribed in the advertisement is same as prescribed in the statutory rules and once, the statutory rules only prescribes a particular qualification for the post in question without there being any equivalent qualification made eligible, prayer of the petitioners, who are claiming having equivalent qualification to the one prescribed under the statutory rules as well as in the advertisement so as to treat the petitioners eligible, cannot be accepted.

4. Faced with this situation, learned counsel for the petitioners submits that the present petitions may kindly be disposed of having been not pressed any further with liberty to the petitioners to challenge the rules prescribing a particular qualification for the post in question.

5. Ordered accordingly.

6. As the petitioners intend to challenge the qualification prescribed under the statutory rules and under the interim order of this Court, the petitioners have provisionally participated in the selection process, it is directed that for a period of 10 years, record of the provisional participation of the petitioners be kept secured.

7. Civil miscellaneous application pending, if any is also disposed of.

8. A photocopy of this order be also placed on the files of connected cases.

May 02, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No