

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

121

CWP-5769-2024 (O&M)
Decided on :12.03.2024

VINOD KUMAR

. .petitioner

Versus

THE CHIEF EXECUTIVE OFFICER, HKRNL AND OTHERS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Ravinder Bangar, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the grievance of the petitioner is that despite the fact that deployment letter dated 16.02.2024 (Annexure P-4) for the post of Multi-Tasking Field Personal (Block Cluster Co-ordinator) at Job Role Level-2, issued to the petitioner by Haryana Kaushal Rozgar Nigam Limited, Haryana on 16.02.2024 (Annexure P-4), he has not been allowed to join the said department on the ground that the petitioner is not eligible for the post in question.
2. Learned counsel for the petitioner argues that as per the instructions dated 30.06.2022, which have been issued by the Government of Haryana, copy of which has been appended as Annexure P-5, the essential qualifications, which have been prescribed for the Job Role Level-2 in the annexure attached to the said instructions dated 30.06.2022 (Annexure P-5) or as prescribed by the intending organization have to be fulfilled by a

candidate for the post in question.

3. Learned counsel for the petitioner further argues that as per the annexure attached to the instructions dated 30.06.2022 (Annexure P-5), for the post of Multi-Tasking Field Personal (Block Cluster Co-ordinator) at Job Role Level-2, a candidate having 10+2 qualification is eligible, whereas, the petitioner is post graduate, hence, the action on the part of respondents for not allowing the petitioner to join the particular department on the post in question, is totally arbitrary and illegal.

4. Notice of motion.

5. Mr. Harish Nain, AAG, Haryana, appears and accepts notice on behalf of the respondents-State. Learned counsel for the respondents submits that a bare perusal of the instructions dated 30.06.2022 (Annexure P-5) would show that for the post in question, a candidate is either required to fulfill the qualification mentioned in the annexure attached to the instructions dated 30.06.2022 (Annexure P-5) or the qualifications, which have been prescribed by the intending organization. But, in the present case, keeping in view the deployment letter dated 16.02.2024 (Annexure P-4) of the petitioner, as per the qualification required by the intending department, a candidate should be graduate with first division, which qualification is not available with the petitioner, hence, the action of the respondents for not allowing the petitioner to join the particular department on the post in question, is perfectly valid and in case, any other request for deployment is received wherein the requirement of qualification is as per the annexure attached to the instructions dated 30.06.2022 (Annexure P-5) is prescribed, the claim of the petitioner will be considered for deployment by treating him eligible.

6. Learned counsel for the petitioner submits that keeping in view

the statement of the learned State counsel that henceforth in case, any job profile arises with the requirement of the petitioner as per the qualification prescribed in the annexure attached to the instructions dated 30.06.2022 (Annexure P-5), the petitioner will be considered eligible, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

12.03.2024

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Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*