

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5778-2024
Date of Decision: 13.03.2024

RAJAN MEHTA

...Petitioner

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Karan Singh, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance raised by the petitioner is that he has wrongly been treated as ineligible for the post of Radiographer/Ultrasound Technician, as advertised vide advertisement No.15 of 2019 dated 07.09.2019 (Annexure P-1) and his claim be considered eligible has wrongly been rejected by the respondents vide order dated 17.11.2023, copy of which has been appended with the petition as Annexure P-11.

2. Learned counsel for the petitioner submits that the respondents had advertised the post in question with certain qualifications and one of the qualification required for the post of Radiographer/Ultrasound Technician was Radiographer's Diploma from Medical College, Rohtak or any other institution hence, as the petitioner had a diploma from institution “Para Medical Council Mohali”, the petitioner should have been treated eligible.

3. Notice of motion.

4. On the asking of the Court, Mr. Harish Nain, learned Assistant

Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that the question with regard to the eligibility had come before this Court and this Court decided the said issue on 17.08.2023, a copy of which has been appended as Annexure P-10 by giving the direction to the State to verify the Diploma attached by all the candidates as to whether, the same are liable to be taken into account keeping in view the instructions dated 18.03.1975 and in case, the qualifications possessed by the petitioners are covered to be treated as valid as per the instructions dated 18.03.1975, benefits be given to the petitioner otherwise, due reasons be given and in the present case, the diploma which has been possessed by the petitioner from a institution named “Para Medical Council”, Mohali is not valid even in the State of Punjab hence, the question of the same be treated valid in the State of Haryana, has rightly been rejected.

5. I have heard counsel for the parties and have gone through the record with their able assistance.

6. Once, the qualification of diploma, which was attached by the petitioner along with the application form to support his claim, has not been recognized even by the Government of Punjab, the respondents are perfectly within jurisdiction to say that under the instructions dated 18.03.1975, the said diploma cannot be treated as valid by the Government of Haryana. Learned counsel for the petitioner has not been able to show under which clause of the instructions dated 18.03.1975, the petitioner is claiming eligibility to treat the diploma acquired from institution named “Para Medical Council”, Mohali as a valid diploma.

7. At this stage, learned counsel for the petitioner submits that the

petitioner had done another diploma from the other Institute, therefore, he should be given another opportunity to attach the said diploma certificate with the application form so as to claim eligibility.

8. It may be noticed that only the document which has been attached by the petitioner with the application form, to support the eligibility can be taken into consideration and not the document which has not been attached. Once the second diploma which the petitioner wants to utilize now, was not a part of the application form, the same cannot be taken into account for deciding the eligibilty of the petitioner.

9. Keeping in view the above, no ground for interference by this Court is made out.

10. The petition is dismissed.

(HARSIMRAN SINGH SETHI)
(JUDGE)

13.03.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No.1