

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(118)

CWP No. 9755 of 2024
Date of Decision : 30.04.2024

Somveer

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Chandra Sekhar, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the challenge is to the order dated 02.12.2022 (Annexure P-8) by which the claim of the petitioner so as to be considered eligible for the post of Multipurpose Health Workers (Male) as advertised vide Advertisement No. 1/2015 has been declined on the ground of eligibility.
2. Learned counsel for the petitioner argues that once the petitioner has a diploma from Para Medical Council, Punjab, he has to be treated as eligible, hence, the action of the respondents in treating the petitioner ineligible for the post in question, is arbitrary and illegal.
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.

5. Learned counsel for the respondents submits that the Para Medical Council, Punjab is a non-existing institute and even the State of Punjab has not recognized the diploma issued by the said Institute, hence, the petitioner's claim that said diploma be recognized by the Government of Haryana, is liable to be rejected.

6. Learned counsel for the petitioner has not been able to rebut the fact that the State of Punjab has also not recognized the diploma issued by the Para Medical Council, Punjab.

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

8. It may be noticed that as per Advertisement No. 1/2015, the following were the essential qualification :-

“i) 10+2 with Biology or Science.

ii) Multipurpose Health Workers Training Course from an Institution approved by Haryana Government.

iii) Hindi/Sanskrit up-to Matric standard or higher education.

Note: MPHW(Male) who have done MPHW training course with Matric prior to the notification dated 21.02.2014 shall be eligible.”

9. Further, the training schools, which have been affiliated by the Government of Haryana, have been mentioned in the advertisement and the candidate was required to obtain diploma from one of the Institute mentioned in the advertisement.

10. The petitioner claims eligibility on the basis of the diploma done from one Para Medical Council, Punjab. The name of Para Medical Council, Punjab is missing from the name of the Institutes, which have been recognized by Government of Haryana from where the diploma can be obtained.

11. Once, while issuing the advertisement, the list of the Institutes has been given, which have been recognized by the State of Haryana from where the minimum eligibility qualification should have been gained and the Institute from where the petitioner has gained the said qualification, is not treated to be a recognized one, no grievance can be raised by the petitioner so as to treat him ineligible.

12. Even otherwise, the Institute from where the petitioner has alleged to have claim the minimum eligibility qualification of diploma, the same is situated in Punjab and even the Punjab Government has not recognized the said diploma for various reasons.

13. Once, even the Government of Punjab has not recognized the diploma issued by the Para Medical Council, Punjab, the petitioner cannot claim eligibility with the Government of Haryana so as to compete for the post of Multipurpose Health Workers.

14. No ground is made out for any interference by this court keeping in view the facts and circumstances noticed here-in-before.

15. Dismissed.

April 30th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No