



CWP-11804-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-11804-2024
Date of decision: 20.05.2024

SAHIB KHAN
Vs.
UNION OF INDIA AND ORS.

....PETITIONER
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Tara Chand Dhanwal, Advocate
for the petitioner.

Mr. K.S. Kathuria, Central Government Counsel
for respondents-Union of India.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through the instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to consider him for the post of Head Constable (Mechanical) advertised vide advertisement No. 338/RC/SSB/Combined Advt./Head Constables (Non-GD)/2023 (Annexure P-13).
2. The respondent advertised various posts including post of Head Constable (Mechanic) for male. In the advertisement, the eligibility criteria was prescribed. The petitioner applied for the post of Head Constable (Mechanic). The qualification prescribed for said post is as below:-

Head Constable (Mechanic) only for male	Between 21 and 27 years	i) Passed Matriculation from a recognized Board or equivalent. ii) Passed the Diploma in automobile or motor mechanical engineering or two years certificate course in automobile or motor mechanical engineering from a Government
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		recognized Industrial Training Institute (ITI) or equivalent. iii) Possess valid Driving License for Heavy Vehicles. Desirable: Two years experience in an authorized garage or workshop.
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3. The petitioner claims that he is holding diploma in mechanical engineering which is equivalent to motor mechanical engineering, thus, respondent was bound to consider him for the aforesaid post.
4. From the perusal of eligibility conditions prescribed in the advertisement, it is quite evident that “equivalent” is connected with the institute imparting diploma/degree. “Equivalent” is not connected with qualification and petitioner has wrongly formed an opinion that expression “equivalent” is linked with qualification. The petitioner admittedly does not possess qualification prescribed in the advertisement.
5. It is settled proposition of law that Court cannot ask Recruitment Board to consider equivalent qualification because it is Recruitment Board/Selection Committee which has to decide requisite qualification in view of its needs.
6. No ground is made out.
7. Dismissed.

20.05.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No