



IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.129

LPA-1392-2024 (O&M)

Date of decision : 01.07.2024

Sahib Khan

..... Appellant

Versus

Union of India and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr.T.C.Dhanwal, Advocate, for the appellant.

Mr.Karanvir Singh Kathuria, Central Government Counsel,
for UOI-respondents.

* * * * *

DEEPAK SIBAL, J. (Oral)

(1) The present intra court appeal is directed against judgment dated 20.05.2024 passed by a learned Single Judge of this Court dismissing the appellant's writ petition through which he had sought consideration of his candidature for appointment as Head Constable (Mechanic).

(2) The facts in brief which are required to be noticed for adjudicating upon the instant appeal are that in the year 2023 the respondents invited applications to fill up various posts including the post of Head Constable (Mechanic). The prescribed qualifications for the said post were Matriculation from a recognised board or equivalent; diploma in automobile or motor mechanical engineering or two years certificate course in automobile or motor mechanical engineering from a Government recognised Industrial Training Institute (for short, ITI) or equivalent and a valid driving licence for driving heavy vehicles. The prescribed desirable qualification was two years of experience in an authorised garage or workshop.

(3) The appellant, who holds a diploma in Mechanical Engineering, sought consideration of his candidature as Head Constable (Mechanic) but since his diploma was not in the automobile trade, his candidature was not considered occasioning the

filing of a writ petition by him before this Court. A learned Single Judge of this Court dismissed the appellant’s writ petition through the judgment which is the subject matter of challenge through the present intra court appeal.

- (4) Learned counsel for the parties have been heard.
- (5) The prescribed qualifications, for the post in question i.e. Head Constable (Mechanic) read as under: -

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 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.
---	-------------------------	---

- (6) As per the afore quoted qualifications, for a candidate to be considered for the post of Head Constable (Mechanic) he was required to possess, amongst other qualifications, a diploma in automobile or motor mechanical engineering or two years certificate course in automobile or motor mechanical engineering from a Government recognised ITI or an equivalent qualification. Admittedly, the appellant does not possess a diploma in automobile or motor mechanical engineering or two years certificate course in automobile or motor mechanical engineering from a Government recognised ITI. Neither any material has also been placed before us nor shown to the effect that Diploma in Mechanical Engineering, a qualification which the appellant possesses, is equivalent to the prescribed qualification.
- (7) In the light of the above, we find no error, legal or factual, in the impugned judgment.

- (8)Dismissed.
- (9)Pending miscellaneous application(s), if any, also stands disposed of.

[DEEPAK SIBAL]
JUDGE

01.07.2024
shamsher

[DEEPAK MANCHANDA]
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No