



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

277

CWP-27793-2024  
Date of decision: 17.12.2024

JAGDISH BASSI  
Vs.  
STATE OF PUNJAB AND OTHERS  
....PETITIONER  
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. K.S. Sidhu, Advocate  
for the petitioner.  
  
Mr. Aman Dhir, DAG, Punjab.  
  
Mr. Rahul Bhargava, Advocate  
for respondent no. 4.

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JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 30.09.2024 (Annexure P-9) whereby respondent No. 2 has rejected his appeal on the ground that he does not possess 12 years' experience.
2. The petitioner pursuant to advertisement No. 5 of 2021 applied for the post of Computer/Digital Forensics Officer (for short 'CDFO'). There were 13 vacancies and out of which 5 were meant for general category. The petitioner appeared for written test and cleared the same. The respondent rejected claim of all the candidates, however, this Court vide order dated 19.03.2024 (Annexure P-8) passed in *CWP-1971-2024* titled as '*Balwinder Singh Vs. State of Punjab and others*' directed the respondent to consider claim of the eligible candidates. The petitioner lodged its claim, however, respondent rejected the same on the ground that he is not having 12 years' experience.



3. Mr. K.S. Sidhu, Advocate submits that petitioner has worked with respondent No. 4 for more than 12 years', however, respondent No. 4 has not issued proper experience certificate. He is still working with respondent No. 4. He has experience of more than 12 years', thus, respondent should consider his claim.

4. Mr. Rahul Bhargava, Advocate submits that petitioner joined their organization on 26.09.2008 as a teacher. He initially was part of Polytechnic Wing, however, was shifted to Engineering Wing. On account of financial constrains, the Engineering Wing was closed in October' 2020, thus, there was no question of teaching after October' 2020. The petitioner is claiming that he is still marking his presence but he is neither paid salary after August' 2019 nor his contract has been renewed after August' 2019.

5. Mr. Aman Dhir, DAG, Punjab submits that claim of the petitioner can be considered on the basis of certificate issued by respondent No. 4. As per certificate on record, he has not gained requisite experience.

6. I have heard the arguments of both sides and with the able assistance of learned counsel perused the record.

7. From the perusal of record especially reply of respondent No. 4, it is evident that petitioner from September' 2008 to October' 2020 has worked as teacher either in Polytechnic or in Engineering Wing. There are no classes in Engineering Wing post October' 2020, thus, there is no question of teaching after October' 2020. Nevertheless, the documents placed on record are disclosing that petitioner has been marking his presence and has been assigned duties other than teaching. His request for renewal of contract has neither been accepted nor rejected. The period of his contract expired in August' 2019 and he is not getting salary since then.

8. In the peculiar facts and circumstances and considering the documents on record, this Court finds it appropriate to direct respondent Nos. 4 and 5 to



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reconsider claim of the petitioner and within 6 weeks from today prepare an experience certificate considering actual job performed by the petitioner from September’ 2008 to till date.

9. Disposed of accordingly.

17.12.2024  
manoj

[JAGMOHAN BANSAL]  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |