



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No.31360 of 2024
Date of Decision: 21.11.2024.**

Sanghpreeya

....Petitioner

Versus

Central Administrative Tribunal, Chandigarh and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Arjun Sheoran, Advocate for
Mr. Tejasvi Sheokand, Advocate and
Mr. Rohan Gupta, Advocate
for the petitioner.

Mr. Rahul Verma, Advocate for
Mr. Rakesh Verma, Senior Panel Counsel for
respondents No.2 and 4.

VIKRAM AGGARWAL, J.

1. The petitioner assails the order dated 18.11.2024 (Annexure P-1) passed by the Central Administrative Tribunal, Chandigarh (for short 'Tribunal'), vide which it declined to grant interim directions in the Original Application No. 1433 of 2024 preferred before it by the petitioner.
2. Pursuant to an advertisement (Annexure P-1A) issued by the Union Public Service Commission (respondent No.2) inviting online applications for recruitment by selection to various posts including 20 posts of Senior Administrative Officer Grade-II in Defence Research and Development Organization (DRDO) (respondent No.4), the petitioner applied (Annexure P-2). She appeared in the examination conducted for the said purpose on 09.03.2024. The result of the written examination was

declared on 05.04.2024 and candidates including the petitioner were provisionally shortlisted. However subsequently, vide instructions (Annexure P-5) issued by respondent No.2, the petitioner was rejected for the interview stating that she lacked in the essential qualifications. A representation dated 08.07.2024 (Annexure P-6) was submitted by the petitioner, but vide instructions (Annexure P-7), the petitioner again found her name in the list of candidates who had been rejected for interview. Under the circumstances, the petitioner preferred an Original Application (Annexure P-10) before the learned Tribunal, but by way of the impugned order dated 18.11.2024, the Tribunal declined to pass any interim direction in favour of the petitioner leading to the filing of the instant writ petition.

3. We have heard learned counsel for the petitioner.

4. Sh. Arjun Sheoran, learned counsel representing the petitioner has strenuously urged that the order under challenge is erroneous and is not sustainable. He submits that the petitioner was rejected on the ground that she did not possess sufficient experience for the post. He submits that the advertisement nowhere laid down that the petitioner should have been in some kind of job to be eligible for the post of administrative officer and that under the circumstances, the experience of the petitioner in running a coaching institute should have been considered to be sufficient for the purposes of the essential/eligibility qualifications. He further submits that there is a power with the respondents to relax the eligibility condition for Scheduled Caste/Scheduled Tribe candidates as also for the General candidates and the petitioner, belonging to a Scheduled Caste, would be entitled for the said relaxation. Learned counsel submits that for the

interviews are going on, the petitioner be provisionally permitted to appear in the interview subject to the outcome of the writ petition.

5. We have considered the submissions made by learned counsel for the petitioner but find the same to be devoid of merit. For the 20 posts of Senior Administrative Officer Grade-II, three years experience of administration or establishment or accounts was required;

“ESSENTIAL QUALIFICATIONS: (A) EDUCATIONAL: (i) Bachelor's Degree from a recognized university or institution. (B) EXPERIENCE: Three years' experience of administration or establishment or accounts work. NOTE-I: The Qualifications are relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in the case of candidates otherwise well qualified. NOTE-II: The qualification(s) regarding experience is/are relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing in the case of candidates belonging to the Scheduled Castes or the Scheduled Tribes, if at any stage of selection the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them. DUTIES: To assist the Director in administrative management of the office. To supervise work relating to admin, personnel and establishment matters viz recruitment promotion, pay fixation and other service related matters. To liaise with HQrs on all administrative activities. HQ: DRDO, Ministry of Defence, New Delhi with liability to ser anywhere in India.”

6. Further in the instructions and additional information to candidates, it was provided that all applicants must fulfill the essential requirements of the posts and other conditions stipulated in the advertisement and that the prescribed essential qualifications are the

minimum and the mere possession of the same would not entitle the candidates to be called for interview;

“3. MINIMUM ESSENTIAL QUALIFICATIONS: All applicants must fulfill the essential requirements of the post and other conditions stipulated in the advertisement. They are advised to satisfy themselves before applying that they possess at least the essential qualifications laid down for various posts. No enquiry asking for advice as to eligibility will be entertained

NOTE-I: The prescribed essential qualifications are the minimum and the mere possession of the same does not entitle candidates to be called for interview.”

7. Under this very head i.e., instructions and additional information to candidates Clause-6 dealt with the procedure to apply and Clause-6(A) (d) provided that certificates in the prescribed proforma from the Head of the Organization/Department for the entire experience claim should be submitted.;

“6. (A) HOW TO APPLY:

xx xx xx xx xx

d) Certificate(s) in the prescribed proforma from the Head(s) of Organization(s)/Department(s) for the entire experience claimed, clearly mentioning the duration of employment (date, month & year) indicating the basic pay and consolidated pay. The certificate(s) should also mention the nature of duties performed/experience obtained in the post(s) with duration(s). Experience Certificate should be issued in prescribed format relevant to the post. Experience certificate-net in prescribed proforma but containing all the details as mentioned above would be considered on merits by the Commission.”

8. This would essentially mean that the petitioner was required to be in some job and an experience certificate was accordingly required to be produced. To say that running a coaching institution would be sufficient experience for the purposes of the essential qualifications would be a matter which would be determined in the Original Application. *Prima facie*, it does not appear to be so. The petitioner, therefore, does not have a *prima facie* case in her favour. The Tribunal also relied upon the same provision while declining interim directions in favour of the petitioner. Therefore, we do not find any illegality in the aforesaid decision of the learned Tribunal.

In view of the aforesaid, we do not find any merit in the present writ petition and the same is accordingly dismissed.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

November 21, 2024
Rekha

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No