

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

2024.PHHC-153970



**CWP No.31448 of 2024
Date of Decision: 22.11.2024**

Baljeet Yadav and others

....Petitioners

vs.

UT Chandigarh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Jatinder Kumar Kharwal, Advocate
for the petitioners

Ms. Madhu Dayal, Addl. Standing Counsel with
Ms. Aashna Gill, Junior Panel Counsel
for the respondents

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of selection list dated 06.09.2024 whereby they have been declared ineligible for the post of Junior Basic Teacher despite being fully eligible for the said post.

2. The petitioners pursuant to advertisement issued by respondent applied for the post of Junior Basic Teacher ('JBT'). They appeared for written test. Their candidature has been rejected on the ground that they have not obtained 2 years 'D.El.Ed.' from NCTE recognized institute.

3. Counsel for the petitioners submits that in view of Division

Bench judgment of this Court in State of Haryana and others vs.



Joginder Singh and others, LPA No. 1641 of 2010, decided on 05.12.2012, the diploma possessed by petitioners is equivalent to qualification prescribed by respondent, thus, petitioners are to be considered for the advertised post.

4. Ms. Madhu Dayal, Addl. Standing Counsel for UT Chandigarh who on advance notice is present in Court submits that under the Chairmanship of Director School Education, Chandigarh Administration, a meeting was held on 29.08.2024 wherein considering different judgments of different courts, it was concluded that 2 years diploma in 'Special Education' or 4 years bachelor of elementary education is not as per eligibility qualification mentioned in the advertisement No.6/2023 for the post of JBT teacher as well as Chandigarh Education Service (School Cadre) (Group-C) Recruitment Rules, 1991. The Committee has further unanimously opined that JBT diploma (AEC Training College & Centre, Pachmarhi)/Naval Trade Certificate is not equivalent to requisite qualification. The petitioners are holding diploma from AEC Training College & Centre, Pachmarhi (M.P), thus, they are not qualified for the advertised post.

5. The petitioners have not challenged decision of Committee and as per advertisement, the requisite qualification is diploma in elementary education (D.El.ED.) of not less than 2 years duration recognized by NCTE. The petitioners are not having diploma in elementary education recognized by NCTE. The reliance placed upon Division Bench judgment of this Court is misplaced because in the said case, in the advertisement equivalent diploma was recognized whereas in the instant case, in the advertisement equivalent diploma is not recognized.



6. This Court cannot order to consider a candidate having equivalent degree. The respondent has notified specific course/diploma/certificate as requisite qualification. The petitioners are not concededly possessing qualification requisitioned by advertisement.

7. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

22.11.2024
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No