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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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Date of decision: 31.01.2025

KAPIL GODARA

....PETITIONER

Vs.

HARYANA STAFF SELECTION COMMISSION AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Gursher Singh Bhandel, Advocate for
Mr. Mannu Chaudhary, Advocate
for the petitioner.

Mr. Amandeep Joshi, DAG, Haryana.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of final result (Annexure P-4) for the post of Sub Inspector (Male) (Category No. 04).

2. The petitioner, pursuant to advertisement No. 3/2018 dated 16.04.2018 (Annexure P-1) applied for the post of Sub Inspector (Male). In the advertisement, it was provided that there would be 10% weightage for additional qualification. The relevant extracts of the advertisement are reproduced as below:-

"Additional qualification:(10% weightage):-

(a) *All candidates who have qualified the Physical Measurement Test shall be called for scrutiny of documents. All other candidates shall stand eliminated from further process of selection.*



(b) **For Constable:-** Education (maximum 07 marks) Candidate with higher education i.e. with Graduate degree in any stream from a recognised University shall get four (04) marks: while, candidate with Post Graduate degree in any stream from a recognised University shall get additional three (03) marks.

ii) **For Sub-Inspector:-** Education (maximum 07 marks): 04 Marks for the candidate with higher education i.e. a Graduation degree in Law, Computer Engineering/Science, Forensic Medicine, Forensic Science, Police Science and Criminology (which-take 04 or more years after 10+2 to get a specialized degree) issued from a recognized university and additional three (03) marks for a Post Graduate degree in any of the aforementioned streams issued from a recognized university

Candidates with a Post Graduate degree in any stream other than the ones mentioned above shall get no extra marks. However, the candidates having a degree over and above their Post Graduation e.g. M. Phil or Ph. D in streams other than the ones mentioned above will get additional three (03) marks.

(C) **NCC Certificate (maximum 03 marks):** Candidate having NCC certificate of A, B or C level shall get 01, 02 and 03 marks respectively (for both constables and Sub-Inspector)."

3. The petitioner claims that he is possessing Bachelors Degree in Engineering (Information Technology) and as per advertisement, weightage has to be given to a person having Bachelors Degree in Computer Engineering/Science.

4. Mr. Gursher Singh Bhandel, Advocate submits that degree obtained by petitioner is equivalent to Bachelors in Computer Engineering/Science. As the



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degree obtained by petitioner is equivalent to degree prescribed in the advertisement, he is entitled to 10% weightage.

5. On being confronted with the fact that there is no provision of equivalence in the advertisement, learned counsel for the petitioner expressed his inability to controvert the same.

6. A Division Bench of this Court in *LPA No. 1453 of 2019* titled as '*Gurpreet Singh and another Vs. State of Punjab and others*' decided on **17.09.2019** has clearly held that the qualification prescribed by advertisement must be possessed by the candidate. The candidate may be possessing even higher qualification than that prescribed by advertisement still he is not entitled for the post unless and until he possesses qualification as prescribed in the advertisement.

7. The petitioner concededly was not possessing Bachelors Degree in Computer Engineering/Science and there was no provision of equivalence, thus, this Court cannot ask respondent to consider his degree and grant additional marks.

8. Dismissed.

31.01.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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