



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

CWP-23098-2015 (O&M)
Date of decision: 26.11.2025

Harpreet Singh Thind

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sardavinder Goyal, Advocate for the petitioner.

Mr. Vikas Arora, DAG, Punjab.

Mr. Arjun Dhaliwal, Advocate
for Ms. Deepali Puri, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of *certiorari* for quashing of the report/intimation (Annexure P-11) whereby the candidature of the petitioner for appointment to the post of Senior Auditor, PUNSUP, Punjab has been rejected by overlooking the facts that petitioner has secured first rank in the written test as well possessing necessary qualification of MBA and having much more experience as required for the post of Senior Auditor, PUNSUP, Punjab, thereby taking away the right to equality and equal opportunity as enshrined by the constitution of India under Articles 14 and 16. Further for issuance of a writ, order or direction in the nature of *mandamus* directing the respondents to issue appointment letter to the petitioner for the post of Senior Auditor, PUNSUP, Punjab.



2. Learned counsel for the petitioner *inter alia*, contends that there is no dispute regarding the fact that the petitioner secured the highest marks in the selection process and he was at the rank one of the merit list. However, his claim has been rejected only on the ground that he does not fulfill the criteria of two years of post-qualification experience in a managerial capacity in any commercial organization.

3. Learned counsel for the petitioner further submits that the petitioner had more than 4 years of experience as a Consultant (Enforce). The petitioner was heading the entire organization in terms of his scope of work and was supervising the conduct of more than 10 subordinate employees. As such, the petitioner possesses the requisite experience in terms of the by-laws of the respondent-Corporation (Annexure A-1).

4. He further submits that, in case there is any ambiguity in terms of Rule 21, the competent authority-the Chief Engineer/Managing Director of the Corporation would be empowered to resolve such ambiguity. It is submitted that the Managing Director/Chief Executive of the respondent-Corporation is the competent authority to interpret these regulations if any inconsistency or anomaly is discovered in their application, and that it shall be open to the Managing Director to issue appropriate orders or rules for the purpose of addressing such doubts or difficulties.

5. Learned counsel for the petitioner submits that he would be satisfied, in case the present writ petition is treated as a comprehensive representation and the Managing Director is directed to consider the same in

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accordance with Rule 21 of the PUNSUP By-laws within a stipulated time frame.

6. Learned counsel for the respondent-Corporation submits that respondent No.2 would consider the petitioner's representation and decide the same in accordance with Rule 21 of the PUNSUP By-laws in time bound manner.

7. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

8. In view of the submissions made above, the present petition is disposed of accordingly with a direction to the respondent to treat this petition as a comprehensive representation and decide the same in accordance to the stipulated rules within a period of two months from the date of receipt of certified copy of this order.

9. Pending miscellaneous applications, if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

26.11.2025*Neha*

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