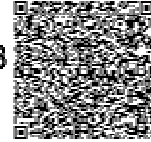


IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

2026:PHHC:050086-DB



LPA-801-2026 (O&M)  
Date of Decision: 01.04.2026

Haryana Public Service Commission ...Appellant

Vs.

Prasoon Sharma and another ...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA  
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Kanwal Goyal, Advocate for the appellant.

Mr. Gurminder Singh, Sr. Advocate with  
Mr. Jatinder Singh Gill, Advocate for respondent No.1.

Mr. Pankaj Middha, Addl. AG, Haryana.

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**ASHWANI KUMAR MISHRA, J. (Oral)**

1. Learned Single has allowed the writ petition filed by the respondent No.1 – writ petitioner and issued a direction to the appellant – Commission to accord consideration to the claim of the writ petitioner for appointment to the post of Manager (Utility) in the Haryana State Industrial Infrastructure Development Corporation Ltd. The consideration for appointment is pursuant to advertisement No.1(8)/2018 dated 21.07.2018.

2. The essential qualification for appointment to the post reads as under:-

***“2. Essential Qualifications:-***

*i. 1st Class B.E./B.Tech in Civil/Mechanical/Electrical in Engineering with minimum 2 years relevant post qualification experience.*

*ii. Should be proficient in computer.*

*iii. Hindi/Sanskrit upto Matric Standard or Higher Education*

*xxx xxx xxx*

*12. The eligibility of candidates with regard to qualifications etc. is to be determined on 20.08.2018 (closing date).”*

3. Undisputedly, the writ petitioner possessed B.Tech. degree in the requisite stream and the issue before the learned Single Judge was with regard to having minimum two years experience post qualification. This two years post qualification experience was allegedly acquired by the writ petitioner with two employers. The writ petitioner had worked with the Irrigation Department for eleven months while for around one year and one month, the working was with a private entity. It is with regard to this working with the private entity that certain correspondences had ensued and clarifications etc. had been sought by the Commission.

4. Learned Single Judge while adjudicating the matter has made observations that the Commission being the recruitment agency would have to restrict its jurisdiction to the assessment of merit and the correctness of certificates etc. cannot be embarked upon by it. An observation has also been made that henceforth the Commission shall not embark upon such aspects of the matter.

5. Aggrieved by the observations made by the learned Single Judge on the scope and jurisdiction of the Commission to examine the correctness

of the experience certificate that the appellant – Commission is before this Court in the present appeal.

6. Before we proceed further, we may note that on the relevant aspect relating the correctness of the experience certificate of the writ petitioner with the private employer, an inquiry has been got conducted, in which, such experience certificate has been found to be credible in terms of order dated 09.07.2025, passed by the writ Court. Once in the inquiry, the correctness of the certificate issued by the private entity has been found to be valid, we take no exception to the direction issued by the learned Single Judge to accord consideration to the claim of the writ petitioner for appointment and to such extent the challenge laid to the judgment of the learned Single Judge, fails. The Commission shall, therefore, proceed further in terms of the order of the learned Single Judge for appointment to the writ petitioner.

7. Coming to the aspect of the jurisdiction of the Commission in examining the merit of candidate for appointment, it would have to be conceded that the Commission is well within its right to satisfy itself regarding the fulfillment of the essential qualifications prescribed for the post. In the present case, possession of two years' post-qualification experience constitutes an integral component of eligibility. Since the issue involves a factual determination and the Commission had entered into correspondence seeking clarification, it cannot be said that the Commission has acted beyond the scope of its jurisdiction. To that extent, we find merit in the submissions advanced on behalf of the appellant, and the observations made by the learned Single Judge in paragraph No. 26 of the impugned

judgment are held to be unwarranted in the peculiar facts and circumstances of the case. Accordingly, the said observations are expunged.

8. We also find merit in the observation of the learned Single Judge that the genuineness of documents constituting eligibility is ultimately required to be determined by the employer, i.e., the State; however, a prima facie scrutiny of such documents by the Commission for the purpose of determining eligibility cannot be faulted.

9. In view of the foregoing discussion, the present appeal stands disposed of in the aforesaid terms. The directions issued by the learned Single Judge to accord consideration to the claim of the writ petitioner are upheld, subject to the modification that the observations contained in paragraph No. 26 of the impugned judgment stand expunged.

10. All pending misc. application(s), if any, also stand disposed of.

**(ASHWANI KUMAR MISHRA)**  
**JUDGE**

**(ROHIT KAPOOR)**  
**JUDGE**

01.04.2026  
rajesh

|                               |   |        |
|-------------------------------|---|--------|
| 1. Whether speaking/reasoned? | : | Yes/No |
| 2. Whether reportable?        | : | Yes/No |