



**CWP-15563-2021 (O&M) and
connected cases**

209-3 cases

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

Date of decision: 24.02.2026

- 1. CWP-15563-2021 (O&M)**
- MANJIT KUMAR AND OTHERS**Petitioners
- Versus**
- STATE OF HARYANA AND OTHERS**Respondents
- 2. CWP-17216-2021**
- MONIKA NAIN**Petitioner
- Versus**
- STATE OF HARYANA AND OTHERS**
....Respondents
- 3. CWP-13154-2022**
- SATISH KUMAR AND ANR.**Petitioners
- Versus**
- STATE OF HARYANA AND OTHERS**Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mazlish Khan, Advocate
for the petitioner(s) in CWP-15563-2021.

Mr. L.K. Narang, Advocate
for the petitioner(s) in CWP-17216-2021.

Mr. R.S. Saroha, Advocate
for the petitioner(s) in CWP-13154-2022.

Mr. Piyush Khanna, Addl. A.G., Haryana.

Ms. Komal Balain, Advocate
for respondents No.5 and 7 in CWP-15563-2021.



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Ms. Nikita Goel, Advocate
for respondents No.3 and 4. in all cases.

HARPREET SINGH BRAR, J (Oral):

1. Since identical questions of law and order are involved in all the aforesaid writ petitions, all are being decided by this common order. For the sake of brevity, the facts are being taken from CWP No.15563-2021.

2. The present petition has been filed under Article 226/227 of the Constitution of India, praying for the issuance of a writ in the nature of *certiorari*, for quashing the revised result dated 06.01.2020 (Annexure P-6) and recommendation dated 25.06.2020 (Annexure P-8) issued by respondent No.2-Commission to DHBVNL Hisar, whereby the result of the Lower Division Clerks (LDC) has been revised and against the name of the roll numbers of the petitioners, the remark has been given that 'Not having valid Computer Certificate', even when the petitioners possess certificates/degrees relevant to computer knowledge from recognized institutes/colleges as possessed by other selected candidates, which have since been verified even by the respective concerned authorities before appointing petitioners to the post of LDC vide letter dated 20.08.2020 (Annexure P-12). A further prayer has been made for directing the respondents to consider the computer certificates/degrees possessed by the petitioners for the post of LDC.



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3. Learned counsel for the petitioners *inter alia* contends that an advertisement No.3/2016 was issued by the respondent No.2-Commission vide which 964 posts of LDC were advertised. Apart from educational qualification, the petitioners have also undergone computer courses from recognized institutes/colleges much prior to the cut-off date fixed in the advertisement on 04.04.2016. The petitioners, being eligible for the posts of LDC, applied for the same and accordingly roll numbers were issued to them. The petitioners competed for the post of LDC and remained successful in the selection process and the result was declared by the respondent No.2-Commission on 08.06.2019 and thereafter the petitioners were recommended for appointment and appointment letters were issued in the month of June 2019. The respondent-Nigam conducted the verification of credential certificates of the petitioners. Learned counsel for the petitioners further refers to letter dated 20.08.2020 (Annexure P-12) and submits that the Head of the concerned Institution has duly verified that the petitioners have cleared the Computer course to fulfill the eligibility requirement prior to the cut-off date and the duration of these courses is of 1 year. Suddenly, on 06.01.2020 a revised result was published by the respondent No.2-Commission in which the names of the petitioners in all the writ petitions were not included. The exercise was conducted in terms of order passed in CWP-17619-2019 titled as ***Jasmeet and others v. State of Haryana and others***, in which the petitioners were never impleaded as parties. The respondents have



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revised the result and introduced a new ground to discard the computer certificates of the petitioners. The petitioners, aggrieved by the action of the respondent No.2-Commission, approached this Court and they are continuously working under the interim order passed by this Court on the posts of LDC for the last more than six years.

4. *Per contra*, learned State counsel as well as learned counsel for respondent No.4 submits that respondent No.2-Commission has not acted with any malice; rather the re-examination of the credentials of each candidate was done in terms of the directions issued by this Court in ***Jasmeet's case (supra)***. Petitioners' names were not included in the list of successful candidates as their computer certificates were found either deficient or were obtained after the cut-off date.

5. I have heard learned counsel for the parties and perused the record with their able assistance. It transpires that the petitioners have participated in the selection process in terms of advertisement no.3/2016 (Annexure P-1) under the category posts of LDC in which the essential qualification as set out in the advertisement read as under:-

“ Cat No.3 964 posts of Lower Division Clerk (Re-Advertised).

*(GEN=245, SC=187, BCA=143, BCB=87,
EBPG=107, ESM-Gen=76, ESM-SC=23,
ESM-BCA=25, ESM-BCB=34, OSP-Gen=10,
OSP-SC=13, OSP-BCA=08, OSP-BCB=06
Total Posts 964, PHC-OH (One leg/One*



Arm/Both Leg)=13, HH=13, VH=05.

- E.Q. i) Bachelor Degree in commerce with a minimum 50% marks in respect for General Category candidates and 45% marks of SC category candidates of Haryana Domicile from any university recognized by the Govt. of Haryana. The percentage marks required for other categories would be same as for General category candidates.*
- ii) Knowledge of Hindi/Sanskrit upto Matric Standard or higher education.*
- iii) "O" Level course or above of computer, for a minimum period of One year from NIELIT (DOEACC) or HARTRON.*
- iv) The weightage of experience to the Contractual workers engaged by any Power Utility would be given as under:-*

Weightage of Experience

One percent mark for each completed year of service in the respective category be granted subject to a maximum of eight percent with the rider that the qualifying service should have been in any Power Utility in the same capacity."

6. The petitioners remained successful in the selection process and ultimately the respondent No.2-Commission on 08.06.2019 recommended their names for appointment to the respondent-Nigam on 11.06.2019 and the appointment letters were issued. The petitioners were issued the appointment letters only after due verification of their computer certificates.

7. A bare perusal of the Annexure P-12 clearly indicates that the Under Secretary of the respondent-Nigam addressed letters to the Heads of the respective Institutes and obtained



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information regarding each of the petitioners qua their computer certificates. It has been duly certified that the certificates of the petitioners were validly issued by the respective Government Colleges/Institutes. The report of the Principal, Govt. College for Women, Gohana (Sonipat) at page no. 81 reads as under:-

“In reference to your letter no.Ch-310-A/Gen-1/VER/UDC/LDC/VOL-III dated 20/08/2020, on the subject noted above. As per desire information required by you is given below in favour of Manjit Kumar s/o Sh. Chand Ram. It is for your information and necessary action.

- 1. Yes, This certificate is valid and issued by Govt. College Gohana in examination held on May 2011. Under University roll no.1150728072, Regn No.09-HWG-3565*
- 2. Yes duration of this course is one year.*
- 3. Admission Form & Result is attached.*
- 4. This candidate take admission in 16/07/2010 under college roll 2315, Fee receipt Rs.1561/- also attached.*

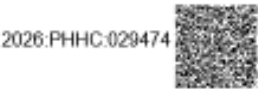
8. Similar verification certificates have also been issued in respect of the other petitioners, which clearly establish that the computer courses undertaken by them were of one-year duration and had been successfully completed prior to the cut-off date i.e. 04.04.2016, as prescribed in the advertisement (Annexure P-1). Further, a perusal of the reply filed on behalf of respondent No.2-Commission reveals that different criteria had earlier been prescribed with regard to the computer qualification for the posts of LDC in UHBVNL and DHBVNL. Taking note of this anomaly and in order to bring uniformity in the essential qualifications for the said posts, the respondent No.2-Commission passed a resolution dated



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09.03.2017, whereby it was resolved that a one-year diploma in computer issued by any Government-recognized institute, UGC recognized University, or any institute duly registered with the Government, including vocational/ITI institutions, would be treated as a valid computer qualification. However, during the process of re-examination of the credentials of the candidates, the petitioners were declared ineligible on the basis of the following remarks recorded against their names:

Sr . N o.	Petitioner's No./category	name/Roll	Remarks
1.	Manjit Kumar 1303601446	SC	<i>The petitioner has submitted the computer certificate dated 28.02.2017, which is issued after cut off date i.e. 11.04.2016. Therefore, the same cannot be considered for the post in question and the petitioner was declared 'not eligible.'</i>
2.	Chandrakala 1303601446		<i>The petitioner has submitted the certificate in Software Application with 320 contact hours and certificate in course in tally with 40 contact hours, which are not valid as per the terms and conditions of the advertisement. Therefore, the petitioner was declared 'not eligible'.</i>
3.	Sujata Rani 1303601659		<i>The petitioner has submitted the certificate from Harton, which is related to state eligibility test. The petitioner has not submitted valid</i>



		<i>computer certificate which is required for the post in question, therefore, she has been declared not eligible for the post in question.</i>
4.	<i>Jain Arora 1303601104 General</i>	<i>The petitioner submitted certificate of Computer accountant dated 08.09.2010 which are not valid as per the terms and conditions of the advertisement. Therefore, he has been declared not eligible for the post in question.</i>
5.	<i>Komal Rani 1303601522 SC</i>	<i>The petitioner has submitted the certificate dated August, 2011 which is of course in tally which is not valid as per terms and conditions of the advertisement. Therefore, the petitioner was declared 'not eligible'</i>

9. The aforesaid remarks recorded against the petitioners are contrary to the material placed on record, particularly when the verification certificates available as **Annexure P-12**. The verification certificates issued by the respective Government Colleges/Institutes clearly indicate that the petitioners acquired the diploma in question prior to the cut-off date and the duration of the course is one year. As such, the petitioners possessed the essential qualification as set out in the advertisement (Annexure P-1). It appears that respondent-Commission has not considered the verification conducted by the employer respondent-Nigam (Annexure P-12) while declaring the petitioners ineligible. The hyper-technical approach adopted against the petitioners regarding the



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nomenclature of the certificate or the date of issuance of the certificate (as opposed to the date of acquiring the qualification) is not tenable in law, especially when the employer and the issuing institutes have duly verified the same.

10. Learned counsel for the petitioner in CWP-17216-2021 refers to verification certificates (Annexure P-12) available at page 80 of the paper book and submits that the certificate clearly indicates that the petitioners acquired the qualification prior to the cut-off date. The objection raised by learned State counsel in connected petition bearing CWP-13154-2022 regarding petitioner No.2 is also liable to be rejected as the petitioners have attached the certificate of computer test (Annexure P-10) which indicates that the petitioners obtained the certificates from recognized institutes and passed the prescribed computer test in between the years 2010 and 2011 (Annexure P-12).

11. Having considered the submissions and the material on record, this Court is of the considered opinion that the respondent-Commission has erred in declaring the petitioners ineligible. The Commission adopted an overly technical and rigid stance, ignoring the substantive reality that the petitioners possessed the requisite computer knowledge from recognized institutes, a fact duly verified by their employer (DHBVN) and the issuing authorities. The reasoning adopted by the Commission is contrary to the record and cannot be sustained.



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12. In view of the above discussion, all the writ petitions are allowed.

13. Accordingly, the petitioners are declared eligible for the post of LDC based on the computer certificates acquired by them. The revised result dated 06.01.2020 (Annexure P-6) and recommendation dated 25.06.2020 (Annexure P-8), insofar as they declare the petitioners ineligible, are hereby quashed. The respondents are directed to treat the petitioners as eligible candidates and grant them all consequential benefits according to the petitioners being found eligible.

14. A photocopy of this order be placed on files of connected cases.

15. Pending miscellaneous application(s), if any, stand disposed of accordingly.

**(HARPREET SINGH BRAR)
JUDGE**

24.02.2026
monika

1. Whether speaking/ reasoned : Yes /No
2. Whether reportable : Yes /No