

CWP-17320-2026

2026:PHHC:084769



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of decision: **27.05.2026**

Chetan Walia

.....Petitioner

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Anshul Mangla, Advocate
for the petitioner.

Mr. Piyush Khanna, Addl. AG Haryana
for respondents No.1 and 2.

Mr. Vikrant Pamboo, Advocate
for respondent No.3.

HARPREET SINGH BRAR, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 17.04.2026 (Annexure P-1), whereby the petitioner has been held ineligible for the post of Accountant. A further prayer has been made for issuance of a writ in the nature of *mandamus*

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directing the respondents to issue an appointment letter to the petitioner for the post of Accountant and to keep one post vacant during the pendency of the present writ petition.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner had applied for the post of Accountant (M.C.) pursuant to Advertisement No. 07/2015 dated 10.07.2015. As per the advertisement, the essential qualifications prescribed for the said post were B.Com. along with a six-month computer course certificate from a recognized institution. It is submitted that the petitioner possesses a B.Com., wherein he studied Computer Application for three years. Thereafter, he also obtained an M.Com., wherein he studied Computers for one year. Apart from the same, the petitioner also completed PGDIM course during the session 2008-2010, wherein he studied computers for six months. Besides this, the petitioner also obtained a computer course certificate from a local institute for the session 2014-2015. Learned counsel submits that the petitioner, thus, possessed qualifications much higher and more comprehensive than the requirement prescribed under the advertisement.

2.1. Learned counsel for the petitioner further contends that the petitioner participated in the selection process and successfully cleared the written examination as well as viva voce. The petitioner secured 140 marks in the written examination and 10 marks in viva voce, thereby obtaining

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total 150 marks, whereas the last selected candidate in the general category had secured only 144 marks. Despite the petitioner being more meritorious, his candidature was rejected on the ground that he did not possess a computer course certificate from a recognized institution.

2.2. Learned counsel for the petitioner submits that aggrieved against the rejection of his candidature, the petitioner along with other similarly situated candidates approached this Court by way of CWP No. 22811 of 2018, which came to be disposed of on 29.05.2025 with a direction to the respondents to pass a speaking order after granting personal hearing to the petitioner. Pursuant thereto, the petitioner appeared before the competent authority on 14.10.2025 and submitted a detailed representation. However, without properly appreciating the qualifications possessed by the petitioner, respondent No.2 again rejected his claim vide impugned order dated 17.04.2026.

2.3. Learned counsel for the petitioner further contends that the controversy involved in the present case is squarely covered by the judgment rendered by this Court in ***“Neha Khurana vs. State of Haryana” (CWP No. 23042 of 2018, decided on 30.10.2023)***, wherein it has been conclusively held that graduation/post-graduation with computers is a much higher and comprehensive qualification than a mere six-month computer certificate course and, therefore, candidates possessing such higher qualifications

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cannot be held ineligible. It is thus contended that the impugned order rejecting the candidature of the petitioner is wholly arbitrary, illegal and unsustainable in the eyes of law.

2.4. Learned counsel for the petitioner has further placed reliance upon the judgment rendered by a Co-ordinate Bench of this Court in ***CWP-21768-2018*** titled as ***Jyoti vs. State of Haryana and others***, decided on 26.05.2023, and submits that the issue involved in the present petition already stands settled by the aforesaid judgment. The respondent preferred intra Court appeal which came to be dismissed vide order dated 21.11.2023 passed in ***LPA-1815-2023***. The respondent preferred ***SLP (Civil) Diary No.7706 of 2024*** before the Supreme Court which came to be dismissed vide order dated 20.08.2024. The case of petitioners is squarely covered by orders passed by this Court in ***Neha Khurana (supra)***.

3. Notice of motion.

4. Mr. Piyush Khanna, Addl. AG Haryana put in appearance and accepts notice on behalf of respondents No.1 and 2. Mr. Vikrant Pamboo, Advcoate put in appearance and accepts notice on behalf of respondent No.3.

5. Learned counsel for respondent No.3 is not in a position to controvert the fact that the candidature of the petitioner has been rejected despite the fact that the petitioner had studied Computer Application for

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three years during his B.Com. course and also studied Computers during his M.Com. degree. It is, thus, submitted that the condition regarding possession of a six-month computer course certificate would not be applicable to the petitioner. Learned counsel further submits that the claim of the petitioner shall be considered in the light of the judgment rendered by this Court in ***"Neha Khurana vs. State of Haryana" (supra)***, within a period of four weeks from the date of receipt of a certified copy of this order. The decision so taken shall also be conveyed to the petitioner.

6. Needless to say, in case the petitioner is found entitled to the relief claimed, he shall also be entitled to all consequential notional benefits in terms of his merit in the revised merit list. However, the petitioner shall be entitled to salary only from the date of his actual appointment and no back wages shall be payable for the period during which he had not discharged his duties.

7. Disposed of accordingly.

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

(HARPREET SINGH BRAR)
JUDGE

27.05.2026

parul verma

Whether speaking/reasoned. : Yes/No
Whether Reportable : Yes/No