

(2017) 02 RAJ CK 0009
In the Rajasthan High Court
Case No : 2643 of 2017

Jeetendra Kumar Pandey S/o Shri Devi Sahai Pandey	APPELLANT
Vs	
The State of Rajasthan	RESPONDENT

Date of Decision : 21-02-2017

Acts Referred:

Citation : (2017) 02 RAJ CK 0009

Hon'ble Judges : Kanwaljit Singh Ahluwalia

Bench : SINGLE BENCH

Advocate : Umashankar Pandey, S.K. Gupta

Judgement

1. The present writ petition has been filed under Article 226 of the Constitution of India praying that the respondents be directed to consider the candidature of the petitioner for appointment to the post of Gram Panchayat Sahayak and he be permitted to participate in the selection process.
2. Mr. Umashankar Pandey, the learned counsel for the petitioner in the writ petition has made a grievance that since the petitioner had passed Higher Secondary Examination from other State than the State of Rajasthan, his candidature is not being held valid by the respondents. The learned counsel for the petitioner has submitted that the petitioner had passed Higher Secondary Examination from the State of Uttar Pradesh.
3. Mr. S.K. Gupta, the learned Additional Advocate General on the asking of the court has accepted notice on behalf

of the respondents. Two copies of the petition have been served upon him.

4. Mr. Gupta, the learned Additional Advocate General after going through the contents of the writ petition, submitted that it is already stand of the respondent that in case the qualification of the petitioner is equivalent to the qualification prescribed in State of Rajasthan, the candidature of the petitioner is to be held valid. The learned Additional Advocate General has submitted that within one week, the respondents shall verify the certificate of the petitioner and if they come to the conclusion that the Higher Secondary Examination Certificate of the petitioner is equivalent to the Sr. Secondary Examination in the State of Rajasthan, the petitioner shall be called for interview. Mr. Gupta further submits that in case the candidature of the petitioner is not found valid, a reasoned speaking order shall be passed.

5. A very fair stand has been taken by the learned Additional Advocate General appearing for the respondents. Hence, the present writ petition is disposed of, by issuing following directions:-

- a) That the petitioner shall appear before the respondent authorities and present his original Certificate showing that he has passed Intermediate/Sr. Secondary Examination.
- b) That the authorities shall verify whether the education qualification obtained by the petitioner is equivalent to the qualification prescribed in the State of Rajasthan or not. If the authorities come to conclusion that the petitioner's qualification is equivalent, he shall be called for the interview on an appointed day.
- c) That in case, the respondent authorities come to conclusion that the Certificate of the petitioner is not valid, they shall pass a

reasoned speaking order.

d) The petitioner shall be at liberty to assail the order to be passed by the respondent authorities in case, his Certificate is held to be invalid.