
(2008) 01 P&H CK 0188
In the Punjab And Haryana At Chandigarh

Satyawar Singh	Vs	APPELLANT
The State of Haryana and Others		RESPONDENT

Date of Decision : 21-01-2008

Acts Referred:

Citation : (2008) 01 P&H CK 0188

Hon'ble Judges : Jaswant Singh, J; Jasbir Singh, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Jasbir Singh, J.—Petitioner and respondent No. 5 were the contesting candidates for the post of Laboratory Technician, which was advertised vide advertisement (Annexure P/1). Following was the necessary qualification for the above said post:

10+2 in Science with minimum 60% with recognised Diploma or certificate course in Medical Laboratory Technology with minimum 55%.

2. In response to notice issued, reply has been filed by respondent Nos. 1 to 4. Paragraph 1 of preliminary objections and paragraph 9 on merits, read thus:

Preliminary submissions 1. That the present writ petition is not maintainable against the answering respondents because the appointment of respondent No. 5 as Laboratory Technician in T.B. department, Civil Hospital, Jind has been made on the basis of the merit. So far as the Diploma of the respondent No. 5 is concerned, it is submitted that she was awarded Diploma by the State Board of Technical Education Haryana under the signatures of Joint Director (Exam.) Addl. Director State Board of Tech. State Board of Education Haryana as Annexure R/1. Hence the respondent No. 5 can not be said ineligible for the post of Laboratory Technician in the TB Centre, Civil Hospital, Jind.

9. That contents of para No. 9 of petition is wrong and hence denied. The respondent No. 5 was rightly selected for the post of Laboratory Technician in TB Hospital, Jind on the basis of merit. Her diploma was issued by the Haryana

Govt. on the basis of this diploma she can not be said ineligible for the post of Laboratory Technician. In fact she is working as such in TB Hospital, Jind successfully.

3. In reply it has specifically been stated that Diploma Certificate (Annexure P/5) was issued to respondent No. 5 by the State Board of Technical Education Haryana under signatures of Joint Director (Examinations). It has further been stated that the Diploma was recognised by the State of Haryana. Counsel for the petitioner has failed to show us any rules, which require that unless Diploma/ Certificate course is recognised by the Health Department of State of Haryana, the candidate cannot be treated eligible for the post in question. No case is made out for interference.

4. Dismissed.