



HPGCL
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14001 & OHSAS: 18001
CERTIFIED COMPANY

HARYANA POWER GENERATION CORPORATION LIMITED

Regd. Office: C-7, Urja Bhawan, Sector-6, Panchkula
Corporate Identity Number: U45207HR1997SGC033517

Website: www.hpgcl.gov.in

Telephone No. 0172-5023407

Fax No. 0172-5022432



From

Chief Engineer/Admn.,
HPGCL, Panchkula.

To

1. All Chief Engineers in HPGCL.
2. All Financial Advisors & CAO in HPGCL.
3. SE/FTPS, HPGCL, Faridabad.

Memo No. 261 /Ch.26 /HPGC/ENG/HPU/C-2024

Dated: 05 /06.2024.

Subject: - 1. CWP No.1794 of 2016 titled as Rajbir Singh Vs DHBVN & others.
2. CWP No. 22011 of 2020 titled as Jaspal Singh & Ors Vs UHBVN & Ors.

Kindly refer to the subject noted above.

In this context, enclosed please find herewith a copy of Memo No. Spl-I/LB-2(5) dated 24.04.2024 and memo no. 51/LB-2(152) dated 23.05.2024 alongwith copy of judgment dated 28.07.2023 & 28.02.2024 respectively, passed by Hon'ble High Court, Chandigarh in the subject cited case, received from the office of LR/HPU, Panchkula for praying dismissal of similar court cases by placing reliance on the ibid judgment.

This issues with the approval of Chief Engineer/Admn., HPGCL.

DA/As above

Xen/Rectt-cum-LNO,
For Chief Engineer/Admn.,
HPGCL, Panchkula

Endst. No. 26 / HPGC/ENG/HPU/C-2024 | 261

Dated: 05 /06.2024

A copy of the same is forwarded to the following for information and further necessary action:-

1. Xen/IT, HPGCL, Panchkula with a request to upload the judgment dated 28.07.2023 & 28.02.2024 alongwith office memo dated 24.04.2024 & 23.05.2024 (**copies enclosed**) on the official website of HPGCL, please.

DA/As above.

Xen/Rectt-cum-LNO,
For Chief Engineer/Admn.,
HPGCL, Panchkula

CC:

Ps to CE/Admin., HPGCL, Panchkula.



HARYANA VIDYUT PRASARAN NIGAM LIMITED

Regd. Office : Shakti Bhawan, Plot No. C-4, Sector-6, Panchkula 134109

Corporate Identity Number : U40101HR1997SGC033683

Website : www.hvvn.org.in, E-mail: companysecy@hvvn.org.in

Correspondence E-mail - lr@hvvn.org.in, legalofficerdhbvn1@gmail.com

anusinglaalo@edhbvn.org.in

Telephone No. - 0172-2560769, 0172-2571841

To

1. The CE/Admn. HVPNL, Panchkula.
2. The CE/Admn. UHBVN, Panchkula
3. The CE/Admn., DHBVN, Hisar.
4. The CE/Admn. HPGCL, Panchkula

Memo No. 2910
Dated 06.05.24
DS/Estt.
US/NGE
DS/General
DS/T&M
XEN/HR&TRG
XEN/Rectt.

[Signature]
CE/Admn.
06/05/24

Memo No.: Spl-1/LB-2(5)

Dated: 24.04.2024

Subject: CWP No. 1794 of 2016 titled as Rajbir Singh Vs DHBVN & others.

Attention is drawn to judgment dated 28.07.2023 passed in subject cited case vide which the Hon'ble High Court dismissed the writ petition.

The operative part of judgment dated 28.07.2023 is given here under:-

Diary No. 1015 Xen/Rectt.

Dated 08.05.24

"From the discussions made hereinabove, this Court can culminate the zist of the case as to there is a delay of 3 ½ years in impugning the order dated 21.06.2012 (Annexure P-20, which was in fact within the knowledge of the petitioner on 13.03.2012 itself and in addition to that he is guilty of concealing the material fact while making a valiant attempt to mislead the Court withholding the information as per Ex-gratia Employment Scheme, his services were to be regularized only from the date of clearing type test, which was stipulated in the appointment letter itself in clear terms.

Hence, I do not find any merit in the present petition and the same is dismissed being devoid of any merits."

It is an important judgment on the issue that the Hon'ble Court can culminate the zist of the case as to there is a delay of 3 ½ years in impugning the order dated 21.06.2012 (Annexure P-20, which was in fact within the knowledge of the petitioner on 13.03.2012 itself and in addition to that he is guilty of concealing the material fact while making a valiant attempt to mislead the Court withholding the information as per Ex-gratia Employment Scheme, his services were to be regularized only from the date of clearing type test, which was stipulated in the appointment letter itself in clear terms.

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06/05/24

USE

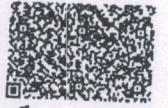
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The above judgment be circulated to offices under your control for praying dismissal of similar cases by placing reliance on the judgment dated 28.07.2023 passed by Hon'ble High Court. It is also requested to direct the concerned CE/IT and SE/IT DHBVN to host the judgment dated 28.07.2023 on the website of concerned Power Utility. A complete copy of judgment dated 28.07.2023 is enclosed herewith for ready reference.

This issue with the approval of L.R.

DA/As above

Dishp
23/4/24
Legal Officer,
HPU, Panchkula.



CWP-1794-2016 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-1794-2016 (O&M)
DECIDED ON: 28th JULY, 2023

RAJBIR SINGH

.....PETITIONER

VERSUS

DAKSHIN HARYANA BIJLI VITRAN NIGAM LIMITED & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. S.S. Duhan, Advocate
for the petitioner.

Mr. R.S. Longia, Advocate
for the respondents.

SANDEEP MOUDGIL, J

1. The jurisdiction of this Court under Articles 226 and 227 of the Constitution of India has been invoked seeking a writ in the nature of *Certiorari* to quash the order dated 21.06.2012 (Annexure P-2) passed by respondent No.2 whereby, the order dated 13.03.2012 regularizing the *ad-hoc* period of the petitioner on the post of Lower Division Clerk (LDC) w.e.f 04.09.2001 i.e. the date of joining under *ex-gratia* employment scheme was withdrawn .
2. The brief facts of the case are that the petitioner was offered appointment on the post of LDC on *ad-hoc* basis vide order dated 03.09.2001 issued by respondent No.5-Executive Engineer (OP), Circle, Dakshin Haryana Bijli Vitran Nigam, Hisar. Thereafter, respondent No.2 passed an order dated 21.06.2012 and ordered for the withdrawal of the earlier order dated 13.03.2012 issued in pursuance of office order dated 19.06.2012, whereby, the services of the petitioner were

regularized w.e.f. 04.09.2001 i.e. the date of joining under *ex-gratia* Employment Scheme (Annexure P-2).

3. While issuing notice of motion on 29.01.2016, following order was passed by this Court:-

“ Vide order dated 21.06.2012 (Annexure P-2), the benefit of regular appointment given to the petitioner w.e.f. 04.09.2001 has been withdrawn without giving him any notice. The petitioner was appointed on 03.09.2001 under the Ex-gratia Employment Scheme. Hence, for all intents and purposes, his services have to be treated as regular. The petitioner was also granted the benefit of ACP as per Annexure P-3.

Notice of motion for 23.07.2016.

In the meantime, operation of the impugned order dated 21.06.2012 (Annexure P-2) shall remain stayed.”

4. In pursuance of notice of motion, respondents have put in appearance and filed their written statement/reply stating that the present petition is hopelessly time barred, as the impugned order was passed on 21.06.2012 and for the last more than 3½ years, the petitioner never agitated against the impugned order, meaning thereby, he was very well aware of the fact that the earlier order dated 13.03.2012 was wrongly passed and therefore, the same was rightly withdrawn by the impugned order. The present petition after a delay of 3½ years is clearly an after thought. Even before filing the present writ petition the petitioner did not served any representation or legal notice for his grievance. Therefore, the present writ petition is liable to be dismissed on this score alone. Moreover, the petitioner has mislead the Court by concealing the material facts. As per the Ex-gratia Employment Scheme dated 21.06.1990, it is specifically provided that his/her services will be regularized from the date of clearing type test as per terms of appointment. Accordingly, learned counsel for respondents has prayed for dismissal of the present



CWP-1794-2016 (O&M)

petition.

5. No other point has been argued by either of the parties.
6. Heard learned counsel for the respective parties.
7. It is an admitted fact that the petitioner was appointed as LDC (Adhoc) on 03.09.2001 under Ex-Gratia Employment Scheme dated 21.06.1990, as such he joined his duties on 04.09.2001. The relevant extract of the Scheme is reproduced as under:-

"According to the existing ex-gratia employment practice, and dependent family member of deceased employee with minimum prescribed qualification of Matric in 1st & 2 Divn. is considered eligible for his/her direct appointment as LDC without type test and in case of 3 Division matriculation, the type test at the prescribed speed of 30/35 W.P.M. in English/Hindi respectively is required to be qualified before his/her appointment. The whole- Time-Members in their meeting held on 23.4.90 & 3.5.90 have reviewed the above procedure and further decided that the dependent family member with Matric in 3rd Division will be considered for direct appointment as L.D.C. on adhoc basis and he/she will be required to clear the type test at the prescribed speed within a period of two years in four chances from the date of joining the post falling which his/her annual increment will be stopped. His/Her services will be regularised from the date of clearing type test as per terms of appointment. The existing ex-gratia employment procedure in case of the applicant with matric in 1st & 2nd Division will continue as here-to-fore."

8. From the record, it is crystal clear that the appointment of the petitioner was provisional till qualifying the type test with 30/25 w.p.m in English/Hind respectively, within two years in four chances. The petitioner has qualified/passed the type test on 26.04.2010. The services of the petitioner was wrongly regularized w.e.f 04.09.2001 vide this office order no.26/SE/M&P dated 13.03.2012. Subsequently, the 1st ACP was also sanctioned by the SE/HR, DHBVN, Delhi now

at Hisar, vide his office order no. 119 dated 17.4.2012 w.e.f 01.10.2011. However, as per the observations made by the SE/Admn, DHBVN, Hisar vide his office memo no.Ch-68/ENG-4159 dated 19.06.2012, the services of adhoc period of the petitioner w.e.f 04.09.2001, i.e. the date of joining in DHBVN under Ex-Gratia Employment Scheme has been withdrawn vide this office order no.61/SE/M&P dated 21.06.2012 and further his services were regularized w.e.f 26.04.2010 i.e. the date of passing the test vide this office order no.62/SE/M&P dated 21.06.2012 in pursuance of SE/Admn, DHBVN, Hisar office memo no.Ch-68/ENG-4159 dated 19.06.2012. The 1st ACP Scale granted to the official w.e. 01.10.2011 was also withdrawn vide SE/HR, DHBVN, Delhi office order no.335 dated 14.12.2012.

9. From the discussions made hereinabove, this Court can culminate the gist of the case as to there is a delay of 3 ½ years in impugning the order dated 21.06.2012 (Annexure P-20, which was in fact within the knowledge of the petitioner on 13.03.2012 itself and in addition to that he is guilty of concealing the material fact while making a valiant attempt to mislead the Court withholding the information as per Ex-gratia Employment Scheme, his services were to be regularized only from the date of clearing type test, which was stipulated in the appointment letter itself in clear terms.

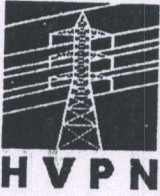
10. Hence, I do not find any merit in the present petition and the same is dismissed being devoid of any merits.

28th JULY, 2023

Sham

Whether speaking/reasoned Yes/No
Whether reportable Yes/No

(SANDEEP MOUDGIL)
JUDGE



HARYANA VIDYUT PRASARAN NIGAM LIMITED

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Correspondence E-mail: lr@hvprn.org.in, Legalretainer@hvprn.org.in

Telephone No. - 0172-2560769, 0172-2571841

(25)

To

1. The CE/Admn., HVPNL, Panchkula.
2. The CGM/Admn., UHBVN, Panchkula.
3. The CE/Admn., HPGCL, Panchkula.
4. The CGM/Admn. & HR, DHBVN, Hisar.

Memo No. 51/LB-2(152)

Dated: 23.05.2024

Subject: CWP No. 22011 of 2020 titled as Jaspal Singh & Ors V/s UHBVN & Ors.

The aforesaid case came up for hearing on 28.02.2024 and the Hon'ble High Court vide judgment dated 28.02.2024 dismissed the same on the ground of qualification containing to the post of ALM (contractual basis). The operative part of the judgment dated 28.02.2024 is reproduced here under:-

" 6. I have heard the learned counsel for the parties.

7. Some of the similarly situated persons who were also appointed on contractual basis as ALM had filed different petitions before this Court and Co-ordinate Bench of this Court vide Annexure P-11 and P-12 have dismissed their petitions and even the subject matter of the aforesaid petitions was exactly similar to that of the present petition. The only distinction which the learned counsel for the petitioners is drawing out is that the Co-ordinate Bench of this Court did not consider the interpretation so given by the learned counsel for the petitioners that ITI qualification of which the petitioners are possessing qualification stand on different footing and cannot be said that pre-requisite was that the institute has to be recognized by the State Government. This Court is of the view that writ petitions filed by similarly situated persons have been dismissed and in one of those cases the petitioner of that case had also assailed the judgment passed by the learned Single Judge and the LPA was also dismissed vide Annexure P-13 and in the LPA it was observed that the appellant admittedly does not possess two years ITI course in Electrical/Wireman trade and therefore the present case is squarely covered in favour of the respondents since facts were identical. The aforesaid judgment of LPA is reproduced as under:-

"The appellant laid challenge to the order of termination of his services passed on the ground that he was not possessing the requisite qualification of two years' course in electrical /wireman trade from an I.T.I. recognized by the State Government. Learned Single Judge dismissed his writ petition relying upon an earlier decision of this Court dated 18.01.2016 in Satish Kumar versus UHBVN and others) where identical issue had arisen for consideration.

The point in issue is whether the appellant was possessing the requisite qualification on the date of his appointment, i.e., 15.10.2008?

It is undeniable that on 18.10.2006, the following qualification was prescribed for the post of Assistant Lineman:-

"QUALIFICATION FOR DIRECT RECRUITMENT FOR THE POST OF ASSISTANT LINEMAN.

50% posts will be filled up by direct recruitment from amongst the candidates who possess the following qualification:-

- (i) Matric with 2 years ITI in Electrician/Wireman trade or having 2 years vocational course under the trade of Lineman conducted by Director, ITI & Vocational Education, Haryana from any institute recognized by the State Government.

- (ii) Must have passed Hindi/Sanskrit up to Matric Standard....."

The appellant admittedly does not possess two years' ITI Course in Electrical/Wireman trade and was thus lacking the requisite

No. 3589
Dated 31/05/24
DS/Genl.
DS/NGE
DS/General
DS/T&M
SEN/HR&TRG
SEN/Recrtl.

CE/Admn.
30/5/24

31/5
31/5
31/5

Diary No. 1255 Xen/Recrtl.
Dated 31/05/24



HARYANA VIDYUT PRASARAN NIGAM LIMITED

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Correspondence E-mail: lr@hvpn.org.in, Legalretainer@hvpn.org.in

Telephone No. - 0172-2560769; 0172-2571841

qualification. In this view of the matter, no fault can be found with the order passed by learned Single Judge.

Dismissed."

8. Therefore, this Court is of the view that the matter has already been concluded by a Division Bench of this Court with regard to the aforesaid argument raised by the learned counsel for the petitioners and therefore, the present petition is devoid of any merit and consequently, the same is hereby dismissed."

It is important judgment on issue of qualification containing to the post of ALM (contractual basis). It is, therefore, requested to circulate the judgment amongst the subordinate offices under your control for dismissal of similarly situated case by placing reliance on the aforesaid judgment. A copy of judgment dated 28.02.2024 is enclosed herewith for ready reference.

DA/As above

Amal
Dy. District Attorney,

For O/o L.R. HPU, Panchkula

CC:-

1. The S.E./XEN/IT, UHBVN, HVPNL, HPGCL, DHBVN, Panchkula/Hisar are requested to upload the judgment dated 28.02.2024 (copy enclosed) on the website of their utility.

2. The XEN/OP Divn., UHBVN, Naraingarh.

DA: As above



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-22011-2020(O&M)

Date of Decision: 28.02.2024

Jaspal Singh and others

....Petitioner(s)

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. and others

.....Respondent(s)

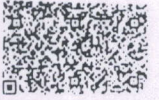
CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ravinder Malik (Ravi), Advocate, for the petitioners.

Mr. Dhruv Walia, Advocate, for the respondents.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 21.10.2020 (Annexure P-8).
2. It is the case of the learned counsel for the petitioners that all the petitioners were appointed as ALM on contractual basis by the respondent-Corporation in the year 2008 by way of outsourcing policy. He submitted that they worked on the aforesaid post till the year 2013 when show-cause notices were issued to them vide Annexure P-1 dated 22.10.2013 on the ground that they have done their ITI course from Sadhaura Technical Institute, District Yamuna Nagar and the certificates were found to be fake and in view of the above, show-cause notices were



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2024:PHHC:028412

issued as to why the services should not be discontinued. He submitted that they had filed a reply to the aforesaid show-cause notice vide Annexure P-2. However, vide Annexure P-3, the services of the petitioners were terminated on 31.10.2013. He submitted that in the termination order also it was mentioned that ITI qualification certificates submitted by them were fake. He submitted that the aforesaid annexure is only pertaining to one of the petitioners but similar kind of orders were passed pertaining to all the petitioners. He submitted that thereafter the petitioners assailed the orders of termination by filing CWP No.1876 of 2014 which came up for hearing before a Co-ordinate Bench of this Court and was allowed vide Annexure P-5. He submitted that by way of the aforesaid order, the orders of termination were set aside but liberty was also granted to the respondents to pass fresh orders in accordance with law and it was also observed that the petitioners will not be entitled for back wages consequent upon the quashing of the impugned orders. He submitted that thereafter the respondents passed a detailed impugned order Annexure P-8 and again the services of the petitioners have been terminated. He submitted that in the aforesaid order, reference has been made to various other judgments of this Court in *Satish Kumar vs. UHBVN and others*, CWP No.4665 of 2014, decided on 18.01.2016, *Rajnish Kumar and others vs. UHBVN*, CWP No.11265 of 2014, decided on 22.01.2016, *Ravi Kant vs. State of Haryana and others*, CWP No.25501 of 2012 and *Gian Chand and others vs. State of Harvana and others*, CWP No.25384 of 2012. He further submitted that when a fresh order was passed vide Annexure P-8, nothing has been stated in the order to show that the certificates were fake but the only reason for termination of the services of the petitioners was that the institution from



CWP-22011-2020(O&M)

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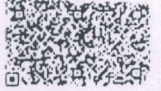
2024:PHHC:028412

where they had done the ITI courses i.e. Sadhaura Technical Institute, District Yamuna Nagar was not recognized by the State Government or any other Government on the basis of the report of the vigilance. He further submitted that show-cause notices were based upon the fact that the certificates were fake but as per impugned order of termination it has not come up that the certificates were fake but the only reason for termination of the services of the petitioners was that the institution from where they had done the ITI courses i.e. Sadhaura Technical Institute, District Yamuna Nagar was not a recognized institute. He referred to the rules in this regard which are appended with the present petition as Annexure P-4 which are the Uttar Haryana Bijli Vitran Nigam Notification dated 18.10.2006 and in the aforesaid rules it has been so provided that the qualification for direct recruitment for the post of Assistant Lineman would be 50% to be filled up by direct recruitment amongst the candidates who fulfill the qualification and the qualification which was required was Matric with 2 years ITI in Electrician/Wireman trade or having 2 years vocational course under the trade of Lineman conducted by Director, ITI & Vocational Education, Haryana from any institute recognized by the State Government. The aforesaid rule is reproduced as under:-

"Qualification for Direct Recruitment for the post
of Assistant Lineman

50% posts will be filled up by direct recruitment from amongst the candidates who possesses the following qualification:-

- (i) Matric with 2 years ITI in Electrician/Wireman trade or having 2 years vocational course under the trade of Lineman conducted by Director, ITI & Vocational Education, Haryana from any institute recognized by the State Government.
- (ii) Must have passed Hindi/Sanskrit upto Matric standard."



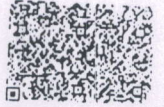
CWP-22011-2020(O&M)

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2024:PHHC:028412

3. Learned counsel for the petitioner while referring to the aforesaid rule submitted that the essential qualification at serial No.(i) consisted of two parts. The first part was a person having Matric with 2 years ITI in Electrician/Wireman trade and the second part which was segregated by the expression 'or' having 2 years vocational course under the trade of Lineman conducted by Director, ITI & Vocational Education, Haryana from any institute recognized by the State Government. He submitted that the petitioner had done 2 years ITI in Electrician/Wireman Trade and there is no stipulation in the first part of the aforesaid qualification that it has to be recognized by the State Government and it was only when a person was qualified on the basis of 2 years vocational course in the second part of the aforesaid qualification, then the aforesaid vocational course has to be recognized by the State Government and both these different qualifications are independent of each other and they cannot be read together. He submitted that in view of the aforesaid rules itself clearly the petitioners were qualified because there was no requirement of being recognized by the State Government. He submitted that the aforesaid provision was not considered by the Co-ordinate Benches in the aforesaid judgments and therefore, this Court on the basis of the interpretation of the aforesaid rules may grant relief to the petitioners even if on the similar circumstances the petitions of the other similarly situated persons were dismissed by the Co-ordinate Benches of this Court. He referred to the aforesaid judgments which have been attached with the present petition as Annexures P-11 to P-13.

4. He also submitted that since the petitioners have been working on the aforesaid post from the year 2008 to 2013, they have also gained



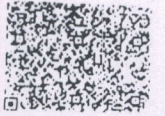
CWP-22011-2020(O&M)

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2024:PHHC:028412

experience on that post and has also referred to a judgment of this Court in *Krishan Kumar Rao vs. Haryana Ware Housing Corporation, 1994(4) SCT 158* to contend that even if at that point of time when the petitioners were appointed to the post of ALM it was the duty of the respondent-Corporation to have verified the certificates in accordance with law and in fact those certificates were verified by the respondent-Corporation but no action was taken against the petitioners by the respondent-Corporation and the petitioners have been continuing in service for a period of about 7 years and they have gained adequate experience and therefore, in the light of the aforesaid judgment of a Co-ordinate Bench of this Court, the petitioners on that strength as well were entitled for continuing in the service and the termination orders are liable to be quashed.

5. On the other hand, Mr. Dhruv Walia, learned counsel appearing on behalf of the respondent-Corporation submitted that the present controversy already stands concluded and decided by various judgments of the Co-ordinate Benches of this Court which have been attached alongwith the present petition as Annexures P-11 to P-13. He submitted that in one of the petitions, even an LPA was also preferred by one Pirthi Chand and in that LPA which has been attached alongwith the present petition as Annexure P-13 it was so observed that the appellant admittedly does not possess two years ITI course in Electrical/Wireman trade and was thus lacking the requisite qualification and therefore no fault can be found with the order passed by learned Single Judge and the LPA was dismissed. He submitted that in this way the case of the respondents is squarely covered by the aforesaid Division Bench judgment in LPA No.946 of 2016 (Annexure P-13).



CWP-22011-2020(O&M)

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2024:PHHC:028412

6. I have heard the learned counsel for the parties.
7. Some of the similarly situated persons who were also appointed on contractual basis as ALM had filed different petitions before this Court and Co-ordinate Bench of this Court vide Annexure P-11 and P-12 have dismissed their petitions and even the subject matter of the aforesaid petitions was exactly similar to that of the present petition. The only distinction which the learned counsel for the petitioners is drawing out is that the Co-ordinate Bench of this Court did not consider the interpretation so given by the learned counsel for the petitioners that ITI qualification of which the petitioners are possessing qualification stand on different footing and cannot be said that pre-requisite was that the institute has to be recognized by the State Government. This Court is of the view that writ petitions filed by similarly situated persons have been dismissed and in one of those cases the petitioner of that case had also assailed the judgment passed by the learned Single Judge and the LPA was also dismissed vide Annexure P-13 and in the LPA it was observed that the appellant admittedly does not possess two years ITI course in Electrical/Wireman trade and therefore the present case is squarely covered in favour of the respondents since facts were identical. The aforesaid judgment of LPA is reproduced as under:-

"The appellant laid challenge to the order of termination of his services passed on the ground that he was not possessing the requisite qualification of two years' course in electrical/wireman trade from an I.T.I. recognized by the State Government. Learned Single Judge dismissed his writ petition relying upon an earlier decision of this Court dated 18.01.2016 in Satish Kumar versus UHBVN and others where identical issue had arisen for consideration.



CWP-22011-2020(O&M)

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2024:PHHC:028412

The point in issue is whether the appellant was possessing the requisite qualification on the date of his appointment, i.e., 15.10.2008?

It is undeniable that on 18.10.2006, the following qualification was prescribed for the post of Assistant Lineman:-

"QUALIFICATION FOR DIRECT RECRUITMENT FOR THE POST OF ASSISTANT LINEMAN.

50% posts will be filled up by direct recruitment from amongst the candidates who possess the following qualification:-

(i) Matric with 2 years ITI in Electrician/Wireman trade or having 2 years vocational course under the trade of Lineman conducted by Director, ITI & Vocational Education, Haryana from any institute recognized by the State Government.

(ii) Must have passed Hindi/Sanskrit up to Matric Standard....."

The appellant admittedly does not possess two years' ITI Course in Electrical/Wireman trade and was thus lacking the requisite qualification. In this view of the matter, no fault can be found with the order passed by learned Single Judge.

Dismissed."

8. Therefore, this Court is of the view that the matter has already been concluded by a Division Bench of this Court with regard to the aforesaid argument raised by the learned counsel for the petitioners and therefore, the present petition is devoid of any merit and consequently, the same is hereby dismissed.

28.02.2024

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking : Yes/No
Whether reportable : Yes/No