

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No. 13445 of 2017

1. Manoj Kumar aged about 26 years s/o Satbir, resident of Village Bidhlna Tehsil Kharkhoda, District Sonipat, Haryana.
2. Ankur aged about 22 years s/o Virender, resident of House No. 875/29, Dev Nagar, Gali No. 2, Sonipat, Haryana.
3. Pawan Kumar aged about 32 years s/o Bhawar Singh, resident near Telephone Exchange Uchana Mandi Distt. Jind Haryana.
4. Navdeep aged about 32 years s/o Ajit Singh, resident of VPO Uchana Kalan, Ward No. 09, Distt. Jind Haryana.
5. Sunil aged about 29 years s/o Shiv Charan, resident of #207, Ward No. 06, Uchana Kalan, Tehsil Narwana, District Jind.
6. Yogesh Kumar aged about 26 years, s/o Satbir Singh, resident of Village Bichpari P.O. Kakar Majra, Tehsil Naraingarh, District Ambala.
7. Dharam Vir aged about 27 years s/o Ghasi Ram, resident of Rambass P.O. Dhanuta Tehsil Narniul, District Mohindergarh, Haryana
8. Nirmal Singh aged about 37 years, s/o Swaran Singh, resident of Village Guldera, P.O. Thana, Tehsil Pehowa, District Kurukshetra, Haryana

9. Rajesh Kumar aged about 28 years, s/o Ram Niwas, resident of House No. 96, Village Kagdana, Tehsil and District Sirsa, Haryana.
10. Dinesh Kumar aged about 34 year, s/o Jaipan, resident of VPO Kharak Kalan, District Rohtak, Haryana.
11. Surender Pal Singh aged about 37 years, s/o Dharam Pal Singh, resident of village Khark Khurd, P.O. Kharak Kalan, District Bhiwani, Haryana.
12. Ramesh aged about 30 years, s/o Kitab Singh, VPO resident of House No. 955/16 Quila Road, Indraj Band Wali Gali Town, Rohtak, Haryana.
13. Sandeep Kumar aged about 34 years, s/o Pawan Kumar, resident of Village Nagawan Tehsil Naryangarh District Ambala, Haryana.
14. Rahul Kumar aged about 28 years, s/o Jaipal Singh, resident of resident of VPO Kharak Kalan, District Rohtak, Haryana.
15. Ravinder Kumar s/o Ram Phal, resident of VPO Fazilpur, House No. 305, G, Sonapat, Haryana.

.....Petitioner(s)

Versus

1. State of Haryana through Secretary to Government, Haryana, Department of Health, Haryana Civil Secretariat, Chandigarh.

2. Haryana Staff Selection Commission, Bays No. 67-70, Sector 2, Panchkula, Haryana through its Secretary.
3. Para Medical Council, Punjab (Regd.) Mohali, Opposite E.S.I. Hospital, S.C.O. No. 37, Phase-7, Mohali, Punjab through its General Secretary.

.....Respondent(s)

Petition under Section 226/227 of the Constitution of India praying for issuance of an appropriate writ, order or direction to the respondent no. 1 & 2 to consider the petitioners as eligible for the posts of Multi Purpose Health Worker (Male) since a condition has been imposed in the Advertisement No. 1/2015 dated 19.06.2015 Category No.07 (Annexure P-1) that for recruitment to the post of MPHW (Male) only the Multipurpose Health Workers Training Course done from an institution approved by the Haryana Government will be considered eligible, as the petitioner's diploma / certificate has been issued by Para Medical Council, Punjab (Regd.) i.e. respondent no.3, which is discrimination on the part of respondent no.1 &2 as the respondent state / department has already considered the candidates who have done their Multi Purpose Health Worker (Male) course from Para Medical Council, Punjab (Regd.) i.e. respondent no. 3 and have issued appointment letters (Annexure P-7 to P-16) to them and they are working satisfactorily in the respondent department on contract basis on the same post of Multipurpose Health Worker (Male) on the basis of same Diploma in Multipurpose Health Workers (Male) issued by the respondent no.3.

WITH further prayer for issuance of an appropriate writ, order or direction for quashing the condition no. ii of essential qualification in Category no.07 of above mentioned advertisement vide which a condition has been imposed that for recruitment to the post of Multipurpose Health Worker (Male) only the Multipurpose Health

Workers Training Course done from an institution approved by the Haryana Government will be considered eligible.

WITH further prayer for issuance of an appropriate writ, order or direction for staying the interview / selection of Multi Purpose Health Worker (Male) being conducted by the respondent no. 1 & 2 in pursuance of the Advertisement No. 01/2015 dated 19.06.2015, Category No. 07 (Annexure P-1) since the criteria adopted by the respondent no. 1 & 2 in the selection / interview is illegal and against the principal of natural justice and is violative of Article 14 and 16 of the Constitution, during the pendency of the present petition.

RESPECTFULLY STATES:-

1. That the petitioners, being the citizen of India, are in a position to invoke the writ jurisdiction of this Hon`ble Court under Articles 226/227 of the Constitution of India by way of filing the present writ petition.
2. That on 19.06.2016 the respondent no. 2 i.e. Haryana Staff Selection Commission have got published an Advertisement No.01/2015 for recruitment to various posts in various departments including the 934 posts of Multipurpose Health Worker (Male) and have sought applications for filling up the posts of Multi Purpose Health Worker (MPHW) Male in the respondent Health Department. The true copy of the

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(Authorized u/s 76 of Indian Evidence Act, 1872)
High Court of Pb. & Hr., Chandigarh.

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MANOJ KUMAR AND ORS. VS STATE OF HARYANA & ORS.

Present: Mr. R.S.Bains, Advocate for the petitioners.

Matter relates to selection and appointment to the post of
Multi-purpose Health Worker (Male).

Notice of motion for 11.10.2017.

Selection and appointment to the post of Multi-purpose Health
Worker (Male) subjected to result of this petition.

02.06.2017
poorja saini

(P.B.BAJANTHRI)
JUDGE



Express/Urgent/Ordinary Petition No. 885675
Date of presentation of Application 03.06.2017
No. of pages of Documents 01
Total No. of pages issued against Petition _____
Per page charges : _____
(1) Express (Initial fee Rs. 100/- upto 10 pages
and Rs. 10/- per page thereafter) _____
(2) Urgent (Initial fee Rs. 100/- upto 20 pages
and Rs. 5/- per page thereafter) _____
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and Rs. 2/- per page thereafter) _____ *PK*
Total cost Rs. _____
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Date of notification of the defects _____
Date of rectification of defects _____
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03/06/17

Namit
03/06/17



Namit
3/6/17