



CWP-2533-2017 (O&M) and connected cases

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**(I) CWP-2533-2017 (O&M)
Reserved on: 13.10.2025
Pronounced on: 08.01.2026
Uploaded on: 09.01.2026**

**SURINDER MOHAN AND ANOTHER -PETITIONERS
V/S**

STATE OF PUNJAB AND OTHERS -RESPONDENTS

(II) CWP-1067-2017 (O&M)

**RAVINDER KUMAR AND OTHERS -PETITIONERS
V/S**

STATE OF PUNJAB AND OTHERS -RESPONDENTS

(III) CWP-14501-2017 (O&M)

**DHEERAJ SAINI -PETITIONER
V/S**

STATE OF PUNJAB AND OTHERS -RESPONDENTS

(IV) CWP-14784-2017 (O&M)

**AMANDEEP SINGH -PETITIONER
V/S**

STATE OF PUNJAB AND OTHERS -RESPONDENTS

(V) CWP-2984-2017 (O&M)

**RAHUL DEV SINGH RANA -PETITIONER
V/S**

STATE OF PUNJAB AND OTHERS -RESPONDENTS

(VI) CWP-400-2017 (O&M)



CWP-2533-2017 (O&M) and connected cases 2

MANISH KUMAR **-PETITIONER**
V/S

STATE OF PUNJAB AND OTHERS **-RESPONDENTS**

(VII) CWP-477-2017 (O&M)

NAVDEEP SINGH AND OTHERS **-PETITIONERS**
V/S

STATE OF PUNJAB AND OTHERS **-RESPONDENTS**

(VIII)CWP-721-2017 (O&M)

RUSTAM BIR SINGH **-PETITIONER**
V/S

STATE OF PUNJAB AND OTHERS **-RESPONDENTS**

(IX) CWP-8491-2017 (O&M)

SUKHJEET SINGH **-PETITIONER**
V/S

STATE OF PUNJAB AND OTHERS **-RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Parveen Chauhan, Advocate
for the petitioners (in CWP-2533-2017).

Mr. R.K. Arora, Advocate, and
Mr. Jugam Arora, Advocate
for the petitioners (in CWP-1067-2017).

Mr. Arun Abrol, Advocate
for the petitioner (in CWP-14784-2017).

Mr. Mohit, Advocate, for
Mr. R.S.Manhas, Advocate
for the petitioner (in CWP-2984-2017).

Ms. Bisman Mann, Advocate
for the petitioner (in CWP-400-2017).

**CWP-2533-2017 (O&M) and connected cases**

3

Mr. Kapil Kakkar, Advocate
for the petitioners (in CWP-477-2017).

Mr. P.P.S. Duggal, Advocate
for the petitioner (in CWP-721-2017).

Mr. Mohit Sadana, Advocate (Through V.C.)
for the petitioner (in CWP-8491-2017).

Ms. Anu Chatrath, Sr. Additional A.G., Punjab, assisted by
Dr. Dharminder S. Lamba, Addl. A.G., Punjab.

Ms. Ekjot Sandhu, Advocate
for the respondent No.4 – G.N.D.U. (in CWP-2533-2017).

Ms. Isha Goyal, Advocate, and
Ms. Shivani Saini, Advocate
for the respondent No.4 (in CWP-14501-2017).

Mr. D.S. Patwalia, Sr. Advocate, with
Mr. Gauravjit S. Patwalia, Advocate
for the intervenor/proposed respondent no.7
(in CWP-1067-2017).

KULDEEP TIWARI, J.

1. All these writ petitions are amenable for being decided through a common verdict on account of theirs inhering a common question of law and fact. In essence, the petitioners are aggrieved by the respondents' decision declaring them ineligible for appointment to the post of Intelligence Assistant (in the respective ranks of Constable and Sub-Inspector) on the ground of non-fulfilment of the prescribed educational qualifications.

2. Concisely and compendiously, the respondent(s)-department, vide Advertisement No.1/2016 dated 01.09.2016 and Advertisement No.2/2016 dated 08.09.2016, invited online applications for direct

**CWP-2533-2017 (O&M) and connected cases**

4

recruitment to fill up vacancies of male and female Intelligence Assistants and Intelligence Officers, in the respective ranks of Constable and Sub-Inspector, in the Intelligence Wing of Punjab Police. The petitioners applied within the stipulated period and successfully cleared the physical efficiency test, whereafter they were permitted to appear in the written examination. However, upon scrutiny of documents by a duly constituted Committee, the petitioners were found ineligible on account of non-fulfilment of the prescribed educational qualifications.

3. Since the fulcrum of the dispute consists of the educational qualifications prescribed in the respective advertisements (*supra*), it is deemed imperative, at the outset, to advert to and examine the prescribed educational qualifications, which are reproduced hereinafter:-

“ADVT. NO.: 1/2016***C. EDUCATIONAL QUALIFICATIONS:***

The minimum educational qualification for direct recruitment as Intelligence Assistants (in rank of Constables) shall be as defined in Appendix 'B' (Sr. No. 04) of Punjab Intelligence Cadre (Group 'C') Service Rules, 2015 as amended by the Punjab Intelligence Cadre (Group 'C') Service (First Amendment) Rules, 2016:

(a) Should be a graduate from a recognized university or institution, as the case may be, provided that such candidate should also possess an 'O' Level Certificate of Information Technology from Department for Electronics Accreditation of Computer Course (DOEACC) or National Institute of Electronics and Information Technology (NIELIT) or its equivalent institution recognized by the Government of India or any State Government;

OR

(b) B.Sc/B.Tech./BE in Information Technology or Computer


CWP-2533-2017 (O&M) and connected cases

5

Science or Information Systems or B.C.A or Post Graduate Diploma in Computer Applications from a recognized university or institution, as the case maybe.”

“ADVT. NO.: 2/2016

C. EDUCATIONAL QUALIFICATIONS:

The minimum educational qualification for direct recruitment as intelligence Officers (in the rank of Sub-Inspectors) shall be as defined in Appendix 'B' (Sr. No. 01) of Punjab Intelligence Cadre (Group 'C') Service Rules, 2015 as amended by the Punjab Intelligence Cadre (Group 'C') Service (First Amendment) Rules, 2016:

(a) Should be a graduate from a recognized university or institution, as the case may be, provided that such candidate should also possess an ‘O’ Level Certificate of Information Technology from Department for Electronics Accreditation of Computer Course (DOEACC) or National Institute of Electronics and Information Technology (NIELIT) or its equivalent institution recognized by the Government of India or any State Government;

OR

(b) B.Sc/B.Tech./BE in Information Technology or Computer Science or Information Systems or B.C.A or Post Graduate Diploma in Computer Applications from a recognized university or institution, as the case maybe.”

4. It has consistently been the case of the petitioners that they possess degrees of B.Sc. with Computer Science or qualifications higher than the ‘O’ Level Certificate of Information Technology from Department for Electronics Accreditation of Computer Course (hereinafter referred to as the “DOEACC”). Conversely, the respondents maintain that the petitioners do not possess the requisite qualifications, as prescribed, and that their candidature was, therefore, rightly rejected.



COLLECTIVE SUBMISSIONS OF LEARNED COUNSEL FOR THE PETITIONERS

5. In beseeching the reliefs yearned for in these writ petitions, learned counsel for the petitioners, led by Mr. Kapil Kakkar, Advocate, advanced collective arguments. The principal contention is that although the degrees issued to the petitioners merely bear the nomenclature “B.Sc.”, the petitioners pursued and passed the B.Sc. course with Physics, Mathematics, and Computer Science as their subjects, which, according to them, constitutes B.Sc. (Computer Science). Reliance is placed upon the prospectus of D.A.V. College, Jalandhar, which is affiliated with Guru Nanak Dev University, Amritsar, and from where some of the petitioners graduated, to contend that B.Sc. (General) with Computer Science as a subject is equivalent to B.Sc. (Computer Science). Further reliance is placed on the fee receipts issued to the petitioners at the time of admission, wherein the course is reflected as B.Sc. (Computer Science).

6. The next argument is that the petitioners are graduates and have studied the subject of Computer Science in their B.Sc. course, which is much higher than ‘O’ Level Certificate of Information Technology from the DOEACC, as has been specifically clarified by the Panjab University, Chandigarh, and Guru Nanak Dev University, Amritsar, vide letters dated 28.12.2016 and 04.01.2017. Further, it is submitted that during the pendency of these writ petitions, two of the petitioners namely Dheeraj Saini and Harjinder Singh were issued fresh and corrected degrees by the University(ies) concerned, and hence now they possess the

**CWP-2533-2017 (O&M) and connected cases**

7

degrees of B.Sc. (Computer Science). Therefore, they are eligible to be considered for appointment to the advertised posts.

7. Elaborating the arguments, Ms. Bisman Mann, Advocate, submits that the essential eligibility requirements, as enclosed in Para 5(C) of the Advertisement No.2/2016, prescribes two distinct categories of educational qualifications and a candidate fulfilling either category is eligible. It is submitted that petitioner- Manish Kumar (CWP-400-2017) satisfies Category (b), which requires a B.Sc./B.Tech./B.E. in Information Technology or Computer Science or Information Systems or B.C.A. or a Post Graduate Diploma in Computer Applications from a recognized University or Institution. Petitioner- Manish Kumar holds a B.Sc. (Computer Science) degree from D.A.V. College, Chandigarh, affiliated with Panjab University, Chandigarh, and his Detailed Marks Cards for all three years reflect Physics, Mathematics, and Computer Science as his subject combination. Moreover, a clarification dated 26.12.2016 issued by D.A.V. College certifies him as a bona fide student of B.Sc. (Computer Science).

8. To fortify her submissions, learned counsel also refers to a clarification obtained from the University Grants Commission (UGC) with regard to equivalence, which states that no specific regulations have been framed regarding subject combinations for B.Sc. (Computer Science), and that such determination rests with the concerned University or the recruiting authority. Reference is also made to the UGC (Specification of Degrees) Notification dated 05.07.2014, which mandates

**CWP-2533-2017 (O&M) and connected cases**

8

that degree nomenclature and minimum instructional standards be clearly specified in admission brochures and on institutional websites. The Admission Brochure for the academic session 2012-13 of the college of petitioner- Manish Kumar specifies that the combination of Physics, Mathematics, and Computer Science falls under B.Sc. (Computer Science). It is thus argued that the expression “B.Sc. (General)” refers merely to the degree title, whereas the stream is determined by the combination of subjects studied. Therefore, the degree of B.Sc. (General) held by petitioner- Manish Kumar has to be considered as degree of B.Sc. (Computer Science).

9. Mr. R.K. Arora, Advocate, also joined the same wagon and reiterated the hereinabove advanced arguments. He submits that equivalence of qualifications must be determined by the concerned University, which, in the present case, has clarified that a B.Sc. degree with Computer Science as a subject be recognized much higher than that of ‘O’ Level Course of the DOEACC. Consequently, the petitioners, on account of theirs possessing higher qualifications than the one prescribed in the advertisements, are eligible for appointment to the advertised posts.

SUBMISSIONS OF LEARNED STATE COUNSEL

10. Learned State counsel vehemently controverted the submissions advanced on behalf of the petitioners. It is submitted that the Department of Home Affairs and Justice, Government of Punjab, vide notification dated 17.08.2016, constituted a State-Level Direct Recruitment Board for Intelligence Officers in the Intelligence Wing of

**CWP-2533-2017 (O&M) and connected cases**

9

Punjab Police. Pursuant thereto, the Chairman of the Board/Director General of Police, Punjab, issued Standing Order No.10/2016 prescribing qualifications, procedure, and criteria for direct recruitment, strictly in accordance with the Punjab Police Service Rules, 2015, as amended in 2016. The recruitment process was conducted with complete transparency, and no allegation of *mala fides* has been levelled by the petitioners. During document verification, candidates were afforded an opportunity to appeal against the decision of the Board for disqualifying them on account of non-fulfilling the required minimum educational qualifications or non submission of valid caste/category certificates for claiming reservation.

11. It is further submitted that, given the technical nature of certificate verification, a Committee of Experts was also constituted with the approval of the Director General of Police, Punjab, vide order dated 18.11.2016. The Committee comprised experts from diverse fields, including representatives of various Universities, to ensure a reasoned and informed decision by the Board. The final decision on the appeals submitted by the candidates was taken with the help and guidance of this Committee of Experts.

12. Learned State counsel lays much emphasis on the applicable Rules to submit that only 'O' Level Certificate holder is eligible, as the Rules do not provide for an 'equivalent certificate' but only provide for the same certificate from an 'equivalent institution' to the DOEACC or National Institute of Electronics and Information Technology or its

**CWP-2533-2017 (O&M) and connected cases**

10

equivalent recognized by the Government of India or any State Government. It is contended that the Recruitment Board and Committee of Experts were not required to determine equivalence of degrees or compare syllabi of various courses offered by private or government institutes to examine whether the submitted certificates were equivalent to the required minimum educational qualifications. All certificates were required to be issued by a recognized authority.

13. Finally, it is asserted that the petitioners possess degrees of B.Sc. (General) and not B.Sc. (Computer Science). Merely having Computer Science as one of the subjects does not satisfy Clause (b) of the prescribed educational qualifications and does not render the petitioners eligible for appointment to the advertised posts.

SUBMISSIONS OF LEARNED SENIOR COUNSEL FOR THE INTERVENOR

14. Learned senior counsel for the intervenor submits that the controversy is no longer *res integra*. Similarly situated candidates had earlier approached this Court by filing CWP-13-2017 seeking identical relief. However, the said writ petition and connected matters were dismissed by a Co-ordinate Bench vide order dated 06.06.2019, and the dismissal order was affirmed in LPA-1453-2019 vide order dated 17.09.2019. The issue, therefore, stands conclusively settled and cannot be raked up again before this Court.

REASONS FOR DISMISSING THESE WRIT PETITIONS

15. This Court has considered the submissions made by learned

**CWP-2533-2017 (O&M) and connected cases**

11

counsel for the contesting litigants and also made a studied survey of the record.

16. To the considered mind of this Court, the petitioners' contention that possession of a B.Sc. degree with Computer Science as a subject constitutes a higher qualification than the 'O' Level Certificate of Information Technology from the DOEACC, as required for the advertised posts, lacks merit. The reason for drawing this inference stems from the fact that an identical contention was raised by similarly situated candidates in CWP-13-2017 and was rejected by a Co-ordinate Bench vide order dated 06.06.2019, which has attained finality upon dismissal of LPA-1453-2019 on 17.09.2019. The relevant portion of the order dated 06.06.2019 is extracted hereunder:-

“Stand of the State is that to become eligible for appointment of Intelligence Assistant, a candidate should be a graduate from a recognized University or Institution and should also possess an 'O' Level Certificate of Information Technology from Department of Electronics Accreditation of Computer Course (DOEACC) or National Institute of Electronics and Information Technology (NIELIT) or its equivalent institution recognized by Government of India or any State Government. As per the stand of the State, the petitions are liable to be dismissed as petitioners do not possess the necessary qualifications as per the advertisement.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

At the outset it is necessary to refer to the advertisement in question. Clause 5 (c) thereof laid down the questions. Same reads as under:-

XX

XX

XX

**CWP-2533-2017 (O&M) and connected cases**

12

As per their own stand, petitioners do not possess the aforesaid qualification. On the other hand, they claim equivalence on the basis of qualifications possessed by them. Such equivalence is not prescribed anywhere. Petitioners claim it on the basis of parameters conceived by themselves. The selection process was conducted by a State level Direct Recruitment Board comprising senior officers, who considered the qualification as per the advertisement. The requirement as per the advertisement was to possess an 'O' Level Certificate of Information Technology from the Department of Electronics Accreditation of Computer Course (DOEACC) or National Institute of Electronics and Information Technology (NIELIT) or its equivalent institution recognized by the Government of India or any State Government.

The Selection Board found that qualification possessed by the petitioners was not equivalent to that prescribed in the advertisement. Counsel for the petitioners have tried to convince this court about the equivalence of qualification. However, the argument does not cut ice. The qualification is clearly prescribed in the advertisement. Admittedly petitioners do not possess the same. There is nothing to show that qualification possessed by the petitioners including the 'O' Level Certificate, if any, has been obtained from an institution equivalent to DOEACC or NIELIT, recognized as such by Government of India or any State Government. The emphasis in the advertisement is on “equivalent institution” recognized by Government of India or any State Government. None of the petitioners claim to have qualification from such “equivalent institution”.

17. In any event, the issue is not of equivalence of degrees, but of equivalence of institution to the DOEACC or National Institute of Electronics and Information Technology or its equivalent recognized by the Government of India or any State Government. Therefore, the contention (*supra*) pales into insignificance. This Court has no reason to

**CWP-2533-2017 (O&M) and connected cases**

13

take a divergent view from that taken by the Co-ordinate Bench and LPA Bench.

18. The next issue warranting adjudication is whether the petitioners, on accounts of their possessing degrees of B.Sc. (General) with Computer Science as a subject, are eligible for appointment to the advertised posts.

19. A duly constituted Committee of Experts, including University representatives, unequivocally opined that degree of B.Sc. (General) with Computer Science as one of the subjects cannot be treated as equivalent to B.Sc. (Computer Science). The equivalence of the prescribed qualification with other qualifications is to be considered by the State, being the recruitment authority. Equivalence being a technical academic matter cannot be implied or assumed. Moreover, judicial review can neither expand the ambit of the prescribed qualifications nor decide the equivalence of the prescribed qualifications with any other given qualification. This position stands fortified by the verdict of the Hon'ble Supreme Court in ***“Shifana P.S. v. State of Kerala and Others”*, (2024) 8 SCC 309**. The relevant paragraphs of the said verdict are extracted hereunder:-

“13. Indisputably, the qualifying criteria prescribed for the post advertised vide notification dated 30th April, 2008 was a degree in B.Sc(Chemistry). Admittedly, the appellant does not hold such a degree. It is the case of the appellant that B.Sc (Polymer Chemistry) degree acquired by her is required to be treated as equivalent to a degree in B.Sc(Chemistry). However, the said argument does not hold water and is misconceived.


CWP-2533-2017 (O&M) and connected cases

14

14. *This Court in the case of Zahoor Ahmad Rather and Others v. Sheikh Imtiyaz Ahmad and Others, (2019) 2 SCC 404, held that judicial review can neither expand the ambit of the prescribed qualifications nor decide the equivalence of the prescribed qualifications with any other given qualification. Therefore, the equivalence of a qualification is not a matter that can be determined in the exercise of the power of judicial review. Whether a particular qualification should or should not be regarded as equivalent is a matter for the State, as the recruiting authority, to determine. (emphasis supplied)*

15. *In Unnikrishnan CV and Others v. Union of India and Others, 2023 SCC OnLine SC 343, a three Judge Bench of this Court, while relying upon the earlier judgment in the case of Guru Nanak Dev University v. Sanjay Kumar Katwal and Another, (2009) 1 SCC 610, held that equivalence is a technical academic matter, it cannot be implied or assumed. Any decision of the academic body of the University relating to equivalence should be by specific order or resolution, duly published.*

16. *The fervent plea advanced on behalf of the appellant that the University of Calicut had issued a certificate dated 10th October, 2011 verifying that B.Sc(Polymer Chemistry) course of the said University is recognised as equivalent to its B.Sc(Chemistry) course is also not tenable in light of the observations made by this Court in the case of Unnikrishnan CV(supra). In view of the settled principles of law flowing from the above precedents, we are of the firm view that the appellant herein was not qualified for the post advertised vide notification dated 30th April, 2008.”*

20. It has not been the case of the petitioners that the respondents have arbitrarily or with *mala fide* intent taken a decision to declare them disqualified, rather it is apparent from a perusal of paper-books of these writ petitions that a uniform yardstick has been made applicable to all the candidates, who participated in the selection process. Furthermore, the

**CWP-2533-2017 (O&M) and connected cases**

15

LPA Bench of this Court has, while adjudicating LPA-1453-2019, already gone into this aspect and rejected a similar argument. In LPA, it was the contention of the appellants that they possess B.Sc. with Computer as a subject from Guru Nanak Dev University, Amritsar, and the University has declared that B.Sc. degree with elective subjects of Computer Science, Quantitative Technique passed from the said University be recognized as equivalent with B.Sc. (Computer Science) degree. However, the said submission was rejected by the LPA Bench, as is apparent from the hereinafter extracted portion of the order dated 17.09.2019.

“Learned counsel for the appellants vehemently contends that appellant No.1 in LPA-1453-2019 possesses B.Sc. Degree with computer as a subject from Guru Nanak Dev University, Amritsar, and the University has declared that B.Sc degree with elective subjects of Computer Science, Quantitative Technique passed from this University be recognized as equivalent with B.Sc. (Computer Science) degree.....

XXXXX

We are afraid, the reliance placed upon the Full Bench judgment is totally mis-founded. The matter came up for consideration before the Full Bench on account of two conflicting Division Bench judgments in respect of the question – Whether the candidates who have obtained the qualification of B.P.Ed. could be considered eligible for the purpose of appointment as Physical Training Instructor (PTI) for which the qualification prescribed is Certificate in Physical Education (C.P.Ed.)? On account of diversion of opinion of two Division Benches on the aforesaid question, reference was made to a Full Bench and, considering the same, it was held that candidates possessing higher qualification in the same line cannot be excluded from



selection. It was observed, in the operative part, as under:-

*27. From the facts on record and dictum of above noticed judgments, it emerges that the candidate possessing higher qualification **in the same line** cannot be excluded from consideration for selection. It is a different matter that he/she may not be entitled to any additional weightage for higher qualification, but cannot be denied consideration at par with a candidate possessing minimum prescribed qualification. Denying consideration to a candidate having better and higher qualification **in the same line and discipline** would definitely result in breach of Articles 14 and 16 of the Constitution of India." (emphasis supplied)*

*Thus, it would be seen that the words "**in the same line and discipline**" are the determining factors.*

Admittedly, in the case in hand the appellants-petitioners cannot be held to be possessing better and higher qualification in the same line and discipline, rather they are claiming equivalence on the basis of parameters conceived by themselves. It cannot be disputed that the equivalence is to be considered and granted by the respondent-authorities and cannot be claimed by the appellants-petitioners themselves as a matter of right. It is to be taken note of that selection process was conducted by a State level Direct Recruitment Board comprising senior officers, who considered the qualification as per the advertisement and, having found that the appellants-petitioners do not possess either the prescribed qualification or higher qualification in the same stream and the qualification they possess cannot be equated with the prescribed qualification, rejected their candidature. 'O' Level Certificate of Information Technology from the Department of Electronics Accreditation of Computer Course (DOEACC) or National Institute of Electronics and Information Technology (NIELIT) is a specialised course in the field of computer education and, definitely, it cannot be held equivalent to computer science studied as a general subject from any institute or university. Whether the two can be considered equivalent or the



*latter qualification as higher is no longer res integra and stands settled by a decision of the Hon'ble Apex Court in the case of **Yogesh Kumar vs. Government of NCT, (2003) 3 SCC 548**. In the said case, the question for consideration before the Hon'ble Apex Court was – Whether B.Ed. was higher qualification than Trained Teacher's Certificate (TTC)? The Hon'ble Apex Court, after considering the issue, answered the same as under:-*

“10. We find absolutely no force in the argument advanced by the respondents that B.Ed. qualification is a higher qualification than TTC and therefore, the B.Ed. candidates should be held to be eligible to compete for the post. On behalf of the applicants, it is pointed out before us that Trained Teacher's Certificate is given to teachers specially trained to teach small children in primary classes whereas for B.Ed. degree, the training imparted is to teach students of classes above primary. B.Ed. degree holders, therefore, cannot necessarily be held to be holding qualification suitable for appointment as teachers in primary schools. Whether for a particular post, the source of recruitment should be from the candidates with TTC qualification or B.Ed. qualification, is a matter of recruitment policy. We find sufficient logic and justification in the State prescribing qualification for the post of primary teachers as only TTC and not B.Ed. Whether B.Ed. qualification can also be prescribed for primary teachers is a question to be considered by the authorities concerned but we cannot consider B.Ed. candidates, for the present vacancies advertised, as eligible.”

In the light of the pronouncement of the Hon'ble Apex Court, even if for the sake of argument, it is accepted, as suggested by learned counsel for the appellants, that the qualification held by the appellants is higher than the prescribed qualification, even then since under the recruitment policy the respondent-department found it fit to prescribe a particular qualification obtained from a specific institution or equivalent

**CWP-2533-2017 (O&M) and connected cases**

18

institution recognized by Government of India or by any State Government, the appellants cannot be held eligible for the vacancies advertised with prescribed qualification.”

21. Consequently, this Court does not find any material or reason to take a divergent view from that taken by the LPA Bench, rather its decision is binding on this Court. Therefore, this Court has no hesitation in holding that the petitioners, merely on accounts of their possessing degrees of B.Sc. (General) with Computer Science as a subject, are not eligible for appointment to the advertised posts.

22. During the pendency of these writ petitions, the following directions were issued by a Co-ordinate Bench of this Court on 08.08.2022:-

“One of the arguments raised by learned counsel for the petitioners is that the petitioners, who had applied for the post of Intelligence Officer in the rank of Sub Inspector and Intelligence Assistant in the rank of Constable, got degrees in B.Sc, Computer Science which degrees were not accepted. It is submitted that though the petitioners herein had studied Computer Science and some of the petitioners had enrolled in the College for a degree in B.Sc (Computer Science), their candidature was rejected with the remarks that their degrees did not belong to B. Sc in computer sciences.

Per contra, learned State counsel would submit that the candidature of the petitioners herein and others, was rejected because their degrees were not in computer science as those were in other ancillary subjects, whereas the persons who have been appointed have their degrees in computer science with advance study of their subject.

This court would like to peruse the record of those persons who have been given appointment vis a vis their educational qualification as against the petitioners herein who stand rejected.

**CWP-2533-2017 (O&M) and connected cases**

19

It would then be clarified whether the rejection of the petitioners herein is justified.

Let the record pertaining to the candidates who stand selected having studied from Punjab Technical University, Jalandhar, with the same qualifications/ subjects as stated by the petitioners herein, be placed on record well before the adjourned date.....”

23. In compliance with the directions (*supra*), an additional affidavit dated 22.11.2022 of Mr. Charanjit Singh, I.P.S., Assistant Inspector General of Police, Headquarters, Intelligence, Punjab, was filed before this Court. It was disclosed in the affidavit that 96 candidates had joined as Sub-Inspector, out of whom, 09 candidates had resigned and 02 candidates had died. In this way, 85 candidates had consumed the post of Sub-Inspector. The educational certificates of these selected candidates were also annexed with the affidavit to substantiate that only candidates possessing the essential educational qualifications were selected and no relaxation whatsoever was given. Learned counsel for the petitioners have also remained unable to point out any anomaly in the educational certificates of the selected candidates.

24. The final issue requiring adjudication emanates from issuance of fresh/corrected degrees of B.Sc. (Computer Science) to 2/3 petitioners by the University(ies) concerned, which according to those petitioners makes them eligible for appointment to the advertised posts. There is no wrangle to the fact that these fresh/corrected degrees were issued only during pendency of these writ petitions, and after completion of the entire selection process. Therefore, the respondents cannot be



CWP-2533-2017 (O&M) and connected cases 20

faulted for rejecting petitioners’ candidature on the basis of qualifications held by them at the relevant time. The concluded selection process of 2016–2017 cannot be reopened, particularly in the absence of any fault on the part of the respondents.

FINAL ORDER

- 25. In summa, this Court finds no merit in these writ petitions, and the same are accordingly **dismissed**.
- 26. Pending applications stand disposed of accordingly.
- 27. A photocopy of this order be placed on file of each connected case.

January 08, 2026
devinder

(KULDEEP TIWARI)
JUDGE

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