

Rajesh Kumar Vs. State of H.P. & ors

CWP No. 670 of 2023

27.4.2023 Present: Ms. Shikha Sharma, Advocate vice Mr. Prem Pal Chauhan, Advocate, for the petitioner.

Mr. Anup Rattan, Advocate General with Mr. Ramakant Sharma & Ms. Sharmila Patiyal, Additional Advocates General, Ms. Priyanka Chauhan and Mr. Arsh Rattan, Deputy Advocates General and Mr. Rajat Chauhan, Law Officer, for the respondents No. 1 to 3-State.

Mr. B. Nandan Vashishta, Advocate, for respondents No. 4 and 5.

Mr. Vinod Chauhan, Advocate, for respondent No. 7.

The instant petition has been filed for grant of the following reliefs:

“ (i) For issuance of writ in the nature of certiorari for quashing the order/letter issued vide ref no. EDN-U(E-V)Elem/Appointment/Ex. Men DM/2022-4991-94, dated 19.11.2022 (Annexure P-11) and consequential proceedings qua the petitioner, whereby candidature of petitioner for the post of DM has not been considered in an illegal, arbitrary and unlawful manner.

(ii) For issuance of writ in the nature of mandamus directing the respondents No. 2 to 5 to consider the certificate of Diploma in Art and Craft attained from respondent No. 6, valid for the post of DM for the purpose of appointment in H.P.

(iii) For issuance of writ in the nature of mandamus directing the respondents No. 2 to 5 (Annexure P-13 and P-14) to decide the representation of petitioner submitted through email dated 8.1.2023.”

2. Respondents No. 1 to 3 have filed reply, wherein it has been specifically stated

that the matter for ascertaining the recognition of Drawing Master Diploma from Desh Bhagat University, Mandi, Govindgarh, Punjab, from where the petitioner has obtained the diploma, was taken up with the NCTE, who has clarified that the Desh Bhagat University is not recognized either by the NRC or NCTE for conduct of Diploma of Drawing Arts, as per the records available with the NRC.

3. To the similar effect are the instructions imparted by the NCTE, vide communication dated 17.4.2023.

4. Confronted with this, learned vice counsel appearing for the petitioner prays for and is granted two weeks' time to obtain instructions. List on 11.5.2023.

(Tarlok Singh Chauhan)
Acting Chief Justice

(Virender Singh)
Judge

April 27, 2023
(kalpana)