

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1951/1999@@  
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Vinod K. Chawla .. Appellant

Vs.

Mani Ram & Ors. .. Respondents

WITH

Civil Appeal No.1952/1999@@  
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In response to an advertisement made by the Subordinate Services Selection Board, Haryana on November 22, 1993 inviting applications for 3 posts of Tehsil Welfare Officers for Scheduled Castes and Backward Classes Welfare Department, the appellants amongst others filed their applications. The appellants were selected to the said posts. The appellants possess the requisite academic qualifications. However, on the ground that they have gained experience even while studying, their appointments were challenged in a Writ petition before the High Court. The High Court allowed the Writ petition on the basis that the experience should have been posterior to the acquisition of the qualifications and quashed appointments of appellants.

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The requisite qualification for the said posts is as follows:

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- (i) Graduate from a recognised University with Economics and Sociology subject;
  - (ii) Hindi upto Matric.
  - (iii) 2 years experience of social work. Preference will be given to work experience in Community Development Project, Weaker and Handicapped field.

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This Court in A.K. Raghmani Singh & Ors. Vs. Gopal Chandra Nath and Ors. - (2000) 4SCC 30 has explained as to how the requirement of experience will have to be considered and it is stated that in case of enhancement of the qualifications the experience has got

to be posterior but if it is not going to add to the academic qualification then it could be anterior to that qualification.

In the present case the requisite qualification is that the candidate must be graduate from a recognised University with Economics and Sociology and must have Hindi upto Matric. Two years experience to be gained in social work, is not connected with either Economics or Sociology or knowledge of Hindi.

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In that view of the matter the High Court is not justified in holding that the appellants should have gained experience after obtaining requisite academic qualification. In the result, we allow these appeals and set aside the order made by the High Court and dismiss the Writ petition filed by the respondents.

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[ S. RAJENDRA BABU ]@@  
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[ RUMA PAL ]@@  
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New Delhi,@@  
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November 6, 2001.@@  
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ITEM NO.114 COURT NO.6 SECTION-IV

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CIVIL APPEAL NO.1951/1999

Vinod K. Chawla .. Appellant (s)

Vs.

Mani Ram & Ors. .. Respondent(s)  
(With office report)

With C.A.No. 1952/1999(With office report)

DATE :6.11.2001 : This/These matter (s) was/were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU  
HON'BLE MRS. JUSTICE RUMA PAL

For Appellant (s) : Mr. R.K. Jain, Sr. Adv.  
Mr. Rajeev Singh, Adv.  
Mr. Neeraj Kumar Jain, Adv.  
Mr. Aditya Kumar Chaudhary, adv.  
Mr. Bharat Singh, Adv.  
Mr. U.S. Prasad, Adv.

For Respondent (s) : Mr. A.Mariaputham, Adv. for  
M/s Aruputham, Aruna & Co., Adv.  
  
Mr. J.P. Dhanda, Adv.

UPON hearing counsel the Court made the following  
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The appeals are allowed and the order made by the  
High Court is set aside and the Writ Petition filed by  
the respondents is dismissed.

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(Meenu Sethi)  
Court Master

(Om Prakash )  
Court Master

Signed order is placed on the file