



Personal No: **6972673 M**
 Name in Full: **Maninder Pal Singh**
 Height: **5'11"** Age: **28/10/1991**
 Type of employment: **Pharmacist**
 Visible identification marks: **A cut mark on the left leg**
 Signature: *Maninder Pal Singh*
 Left thumb impression: 

PASS NO. **D 05071**
भारत INDIA

 Issued on: **29 June 2012**
 Issued at: **Bathinda Cantt (PB)**

PERMANENT PASS
MINISTRY OF DEFENCE
भारत सरकार
रक्षा विभाग
विशेष स्थायी स्टाफ-भारत
Civilian Non-Casual Staff
शर्तियाँ
CONDITIONS OF ISSUE

1. The holder will carry it on his person when on duty or off duty within the precincts of the formation/unit/establishment. It is not transferable and remains only to the person described and for the formation/unit/establishment named.
 2. The holder will carry it with him at all times and it shall be valid only when he is in uniform or in the uniform of the formation/unit/establishment.
 3. The holder will carry it with him at all times and it shall be valid only when he is in uniform or in the uniform of the formation/unit/establishment.
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 9. The holder will carry it with him at all times and it shall be valid only when he is in uniform or in the uniform of the formation/unit/establishment.
 10. The holder will carry it with him at all times and it shall be valid only when he is in uniform or in the uniform of the formation/unit/establishment.

(To be filed by issuing authority)
 (To be filed by issuing authority)

Bathinda Cantt (PB)
Maninder Pal Singh
Bathinda Cantt (PB)

1. This card is issued to the holder in the name of the Government of India and shall be considered as evidence of employment. On transfer from one unit to another, the card will be surrendered to the new unit. The new unit would in turn issue a new card to the holder. This card is not to be used for any other purpose.
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respondent no. 1 to 5 in pursuance of the Advertisements (Annexure P-1 & P-2) since the criteria adopted by the respondent no. 1 to 5 in the selection is illegal and against the principle 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 the respondent no. 2 i.e. Civil Surgeon, Kurukshetra has got published an Advertisement in 'Dainik Bhaskar' newspaper published on 24.06.2012, stating therein that the respondent no. 3 has made recruitment for 48 posts of Multipurpose Health Worker (Male) on contract basis for a period of six months, and have sought applications for filling up 48 posts of Multi Purpose Health Worker (MPHW) Male in the respondent Health Department. As per the advertisement, the interested candidates have to appear in the office of Civil Surgeon, Kurukshetra i.e. respondent no. 2 along with their application forms and necessary documents on 02.07.2012 for interview. The true translated copy of the above said Advertisement published in 'Dainik Bhaskar' newspaper on 24.06.2012, is annexed herewith as Annexure P-1/1. The essential qualifications for the said posts as mentioned in the advertisement (Annexure P-1/1) is as under :-

"(i) Diploma of MPHW (M) from the institute recognized by the Health Department Govt. of Haryana.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No. _____ of 2012

1. Subho Lal son of Sh. Babu Singh, aged 20 years, resident of V.P.O. Baresilly, Tehsil Panchkula, District Kharar, Haryana.
2. Nitin Singh son of Sh. Babu Singh, aged 20 years, resident of V.P.O. Baresilly, Tehsil Panchkula, District Kharar, Haryana.
3. Rohit Singh son of Sh. Raj Singh, aged 17 years, resident of Subvillage Wadhwan, New Mahanagar Road, Udhana, Haryana.

... Petitioners

VERSUS

1. State of Haryana through Secretary to Government, Haryana, Department of Health, Welfare & Civil Services, Chandigarh.
2. Civil Surgeon, Kurukshetra, office of Civil Surgeon, Kurukshetra, Haryana.
3. District Health & Family Welfare Society, Kurukshetra through its Chairman, office of Civil Surgeon, Kurukshetra, Haryana.
4. Civil Surgeon, Serna, office of Civil Surgeon, Serna, Haryana.
5. District Health & Family Welfare Society, Feroze through its Chairman, office of Civil Surgeon, Serna, Haryana.
6. Pary Medical Council, Feroze (Regd.), Mohali, Quezoo, E.S.I. Hospital, S.C.O. No. 37, Phase-7, near old Hospital through its Welfare Secretary.

... Respondents (2)

ATTACHED

State of Haryana
Department of Health & Family Welfare

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 to 5 to consider the
petitioners as eligible for the posts of Multi Purpose Health
Worker (Male) since a condition has been imposed in the
Advertisement (Annexure P-1 & P-2) that for recruitment
to the post of Multipurpose Health Worker (Male) on
contract basis, only the Multipurpose Health Workers
Training Course / diploma done from the institutions
recognized by Haryana Government will be considered
eligible, and the petitioner's diploma / certificate has been
issued by Para Medical Council, Punjab (Regd.) i.e.
respondent no. 6, whereas 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. 6 and have issued appointment letters
(Annexure P-6 to P-14) to them.

With further prayer for issuance of an appropriate
writ, order or direction quashing the Advertisement
(Annexure P-1 & P-2) vide which a condition has been
imposed that for recruitment to the post of Multipurpose
Health Worker (Male) on contract basis, only the
Multipurpose Health Workers Training Course / diploma
done from the institutions recognized by Haryana
Government will be considered eligible; OR issue an
appropriate writ, order or direction directing the
respondent no. 1 to 5 for declaring that all diploma being
awarded to Multipurpose Health Workers from registered
institutions from other states will also be considered
eligible.

With further prayer for issuance of an appropriate
writ, order or direction for staying the selection of Multi
Purpose Health Worker (Male) being conducted by the

CWP No. 12197 of 2012

Present - Mr. P.S. Bains, Advocate, for the petitioner.

Counsel for the petitioner places reliance upon similar matter
involving the same question as has been raised in the present writ petition,
although pertaining to a different advertisement, to contend that the petitioner
who has obtained his qualification for being eligible for appointment to the
post of Multi Purpose Health Worker (Male) from an institution out of the
State of Haryana, is contrary to the law laid down by this Court in CWP No.
1272 of 2009 *Tarik Ahmed and others Versus The State of Haryana and
others*, decided on 16.2.2010 (Annexure-P-5). He prays for an interim order,
as has been passed by this Court in CWP No. 11854 of 2012 *Mafiat Singh
and others Versus State of Haryana and others*, which is now listed for
hearing on 9.7.2012.

Notice of motion for 9.7.2012.

Draft process only.

Interim order in same terms.

(AUGUSTINE GEORGE MASLIN)
JUDGE

2.7.2012
sjs

2.7.2012
sjs

Presented by P. S. Sharma, Advocate
for the petitioners.

Before me

Mr. P. S. Sharma, A.A.G., Haryana who is present in Court
deposes in support of respondents No. 1 and 2 and swears service on
me.

State of Haryana in the office of the Civil Surgeon, Yamuna
District, under section 10 of the application forms, if submitted complete in all
respects on 08.03.2012, the date fixed under the advertisement (Advertisement
No. 1) in the list of date receiving applications for consideration for
appointment in the post of MPTSP (Nate) on contract basis for a period of
12 months as per outsourcing policy of Haryana Government. In case the
selection process is completed before the next date, the cases of the
petitioners would be considered and kept in a sealed cover. The
provisions contained in clause V of advertisement would not operate
against the petitioners pending final decision of this case. Clause V
provides candidates to apply for appointment who have passed the
qualifying examination from institutions outside the State of Haryana and
not recognized by it.

Let notice be issued to respondent No. 3 for 09.07.2012.

Process date only.

A copy of this order be given to learned counsel for the
petitioners under the signatures of Bench Secretary of this Court.

J. PRASAD NARAIN
JUDGE

08.03.2012

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