



Serial No.28
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 54 of 2024

Date of Order : 14.08.2024

Ms. Sofia Nongsiej

...Petitioner

-Versus-

1. State of Meghalaya represented by
District Social Welfare Officer
West Khasi Hills, Nongstoin,
Government of Meghalaya, Shillong.
2. Miss Smti Kelba Mery Nongrum
Government of Meghalaya
Office of the District Social Welfare Officer
West Khasi Hills, Nongstoin.

...Respondents

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. S.Nongsiej, Adv.

For the Respondent(s) : Ms. S.Ain, GA.

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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: _ | Yes/No |

JUDGMENT AND ORDER (ORAL)



1. The brief facts of the case are that the petitioner had applied for the post of Counsellor pursuant to an advertisement issued by the respondent No. 1 dated 16-04-2023, and in the written examination held thereto, secured the 2nd highest marks. The case of the petitioner is that having secured the 2nd highest marks, however, after the interview, appointment was afforded to the respondent No. 2 who had scored lower than her in the written examination.

2. Ms. S.Nongsiej, learned counsel for the petitioner has vehemently argued that it is not clear as to which authority had constituted the interview board which had conducted the interview and granted higher marks to the respondent No. 2. She further submits that it is not known as to which appointing authority recommended and appointed the respondent No. 2, and that the marks allocated in the interview were disproportionate and it is also not known under which rule the said procedure had been adopted.

3. Ms. S.Ain, learned GA appearing for the respondent No. 1 has fairly submitted that once the writ petitioner has taken part in the selection process and having been unsuccessful, cannot now challenge the process as being illegal or void on the grounds as set out by the petitioner. She further submits that the selection committee interview board has been constituted as per mandate of the Integrated Child Development Scheme



which was chaired by the Deputy Commissioner and other members. She further submits that the petitioner after not being successful in the selection process cannot claim that there has been any illegality in the appointment of the respondent No. 2.

4. I have heard the learned counsel for the parties and perused the materials on record. A perusal of Annexure-1 annexed to the affidavit filed by the State respondents reflects that the petitioner has scored the 2nd highest marks of 65% in the written examination and had obtained 22.4 marks in the interview. The respondent No. 2, who is not represented before this Court, it is noted, had scored 63% in the written examination and 30.2 marks in the interview. A perusal of the members of the interview board also indicates that the Chairman was the Deputy Commissioner which also consisted of the Member Secretary District Social Welfare Officer, the District Programme Officer, the District Child Protection Officer, the Chairperson of the Child Welfare Committee and also the Member of the Juvenile Justice Board. The contention of the petitioner that the interview board has been constituted improperly cannot be accepted as it is seen that it comprises of members who are experts in the field.

5. In this backdrop, firstly, as the writ petitioner had taken part in the selection process and has now sought to challenge the same and there being no patent illegality made out in the entire process, and further the



results of the interview being on the basis of an expert committee, where this Court cannot substitute the findings thereof, there is no merit in the instant writ petition and the same is dismissed.

6. Matter accordingly stands disposed of.

Judge