

GAHC010126132022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4281/2022

BASANTA KUMAR PAIT AND 5 ORS
SON OF SRI RAJEN PAIT, RESIDENT OF H. NO. 171, NIZARAPARA,
HIRIMBAPUR PATH, ODALBAKRA, KAMRUP(M), P.O. ODALBAKRA, PIN-
781034, ASSAM.

2: KULDIP BARMAN
SON OF SRI DILIP BARMAN
RESIDENT OF H.NO.- 18
NANDANPUR PATH
SURVEY
BELTOLA
PIN- 781028
ASSAM.

3: FRANKY KUMAR KALIA
SON OF NIRMAL KUMAR KALIA
RESIDENT OF LAL BANGLOW ROAD
TINSUKIA
PIN- 786125
ASSAM.

4: DHARUVA JYOTI BORUAH
SON OF LATE MANIK CHANDRA BARUAH
RESIDENT OF VILLAGE AND P.O.- KALOOGAON
DISTRICT SIVASAGAR
PIN- 785666
ASSAM.

5: PARTHA PRATIM DEORI
SON OF SRI TANU RAM DEORI
RESIDENT OF RATANPUR
P.O.- DHEMAJI
DISTRICT- DHEMAJI
PIN- 787057

ASSAM.

6: PANKAJ KUMAR RAJKUMAR
SON OF SRI INDRESWAR RAJBONGSHI
RESIDENT OF VILLAGE- SOLMARI
DISTRICT- MORIGAON
PIN- 782105
ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, TRANSPORT DEPARTMENT, JANATA BHAWAN,
DISPUR, GUWAHATI-6.

2:THE COMMISSIONER
COMMISSIONERATE OF TRANSPORT
PARIBAHAN BHAWAN
JAWAHARNAGAR
KHANAPARA
GUWAHATI-22.

3:THE SECRETARY
DEPARTMENT OF TRANSPORT
GOVERNMENT OF ASSAM
JANATA BHAWAN
DISPUR
GUWAHATI-6.

4:THE ASSAM PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS CHAIRMAN
JAWAHARNAGAR
KHANAPARA
GUWAHATI-22
ASSAM.

5:THE UNDER SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
JAWAHARNAGAR
KHANAPARA
GUWAHATI-22
ASSAM.

6:THE JOINT SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
JAWAHARNAGAR
KHANAPARA

GUWAHATI-22
ASSAM.

7:THE CONTROLLER OF EXAMINATION
ASSAM PUBLIC SERVICE COMMISSION
JAWAHARNAGAR
KHANAPARA
GUWAHATI-22
ASSAM

For the Petitioners : Mr. H. K. Das, Adv.

For the Respondents: Ms. M. D. Borah, SC, Transport Deptt. Assam.
Mr. P.P. Dutta, SC, APSC.
Mr. D. Gogoi, SC, AICTE.

BEFORE

THE HON'BLE MR. JUSTICE SUMAN SHYAM

Date of hearing : 02/04/2024, 13/06/2024.

Date of judgement : 29/07/2024.

JUDGEMENT AND ORDER (CAV)

1. The 6 (six) writ petitioners herein are holding Bachelors Degree in Mechanical Engineering (BE) under the Gauhati University. Being aggrieved by the refusal on the part of the authorities to allow them to participate in the recruitment process for filling up the 26 posts of Motor Vehicle Inspectors (MVIs) on the ground that they did not possess the requisite qualification as per the advertisement notice, the petitioners have approached this Court by filing the instant writ petition seeking a Writ of Mandamus.

2. The facts of the case, in a nutshell, are that on 13/10/2020, the Under Secretary to the Assam Public Service Commission (APSC) had issued an advertisement bearing no. 09/2020 inviting applications for filling up 26 posts of MVIs. As per the advertisement notice dated 13/10/2020, the minimum essential qualification to apply for the post was "H.S.S.L.C. with 3(three) years diploma in Automobile or Mechanical Engineering from a recognized Institute of Govt. of Assam/Govt. of India and also duly recognized by the All India Council of Technical Education (AICTE).

3. On 13/11/2020, the APSC had issued a corrigendum notice modifying the minimum essential qualification stipulated in the advertisement dated 13/10/2020 by including BE/B.Tech (Automobile/Mechanical) Engineering from a recognized Institution and also added H.S.L.C. along with the H.S.S.L.C with 3 (three) years diploma in Automobile/mechanical as the qualification for the post of MVI. Since the writ petitioners were holding BE degrees in Mechanical Engineering, hence, they had applied for the post of MVI. However, soon thereafter, by issuing notice dated 04/10/2022, the APSC had cancelled the advertisement dated 13/10/2020. Thereafter, on 25/05/2022, the APSC had issued advertisement no.10/2022 inviting fresh applications for filling up the aforesaid 26 posts of MVIs. However, in the advertisement notice dated 25/05/2022, the educational qualification for the post was laid down as H.S.L.C./H.S.S.L.C with 3 (three) years Diploma in Automobile or Mechanical Engineering from a recognized Institute of Govt. of Assam/Govt. of India and also duly recognized by AICTE.

4. The petitioners had submitted their application in response to the advertisement notice dated 25/05/2022. According to the APSC, the petitioners did not possess the requisite educational qualification laid down in the advertisement notice dated 22/05/2022. Aggrieved thereby, the petitioners had approached this Court by filing the instant writ petition. After taking note of the facts and circumstances of the case, the learned Single Judge had passed interim order dated 27/06/2022 provisionally allowing the petitioners to participate in the selection process. This Court had however, directed that the final results should not be declared. During the pendency of this writ petition, the selection process was concluded. As such, the Secretary to the APSC had filed an application registered as IA(C) No. 441/2023 with a prayer to modify the interim order dated 27/06/2022 and allow the publication of results, which prayer was allowed by this Court by order dated 12/04/2023. Accordingly, the results were published. From the result so published, it transpired that four writ petitioner i.e. petitioner nos. 2, 4, 5 & 6 have emerged successful but the petitioner nos. 1 & 3 could not clear the examination. Therefore, pursuant to the leave granted by this Court by order dated 26/04/2023, 22 posts of MVI had been filled up. However, four posts of MVI have been directed to be kept vacant awaiting the outcome of this proceeding. This Court had also extended the validity of the select list dated 24/04/2023.

5. The core issue arising for decision of this Court in the present proceeding is as to

whether, the qualification of BE (Mechanical) held by the writ petitioners would presuppose the qualification of 3 (three) years diploma in Mechanical Engineer and, therefore, those petitioners ought to be held to be possessing the requisite educational qualification as per the advertisement notice dated 25/05/2022.

6. Mr. H.K. Das, learned counsel for the petitioner has placed heavy reliance on the decision rendered in the case of ***Jyoti K.K. and others. Vs Kerala Public Service Commission and others*** reported in **(2010) 15 SCC 596** to submit that the higher qualification of BE held by his clients presupposed the acquisition of the lower qualification of 3 (three) years Diploma in Mechanical Engineering prescribed by the advertisement notice. Since the rules do not exclude candidates with higher qualification in the same discipline from the purview of the selection process, the respondents were not justified in refusing to accept the application of the writ petitioners. Mr. Das has also placed reliance on a recent decision of the Hon'ble Supreme Court rendered in the case of ***Puneet Sharma and others Vs. Himachal Pradesh State Electricity Board aLtd. And another*** reported in **2021 SCC Online SC 291** as well as another decision of the Division Bench of this Court rendered in the case of ***Preety Kashyap and others Vs. Sonu Sahu and others*** reported in **(2018) 4 GLR 503**, to drive home his argument that the higher qualification possessed by his clients in the same discipline cannot be a ground to debar them from participating in the recruitment process, particularly, since the relevant rules do not exclude the participation of candidates with higher qualification.

7. Ms. M.D. Borah, learned Standing Counsel, Transport Department, Assam, on the other hand, has argued that the recruitment process has been carried out by following the provisions of ***Assam Transport Service Rules, 2003*** (*herein after referred to as the Rules of 2003*). The Rules of 2003 have been framed in exercise of powers conferred under the proviso to Article 309 of the Constitution of India and, therefore, those would be binding upon the department. Since the rules do not prescribe the qualification of B.E. in Automobile/Mechanical Engineering as the qualification for appointment in the post of MVI and considering the fact that there is no basis to draw equivalence between the 3 (three) years Diploma in Automobile/Mechanical Engineering and B.E. Degree in Automobile and Mechanical Engineering, the APSC was justified in declining the applications submitted by the petitioners. Contending that it is not the function of the Court to draw equivalence of

degrees/diplomas for the purpose of assessing the eligibility of the candidates, Ms. Borah has prayed for dismissing the writ petition.

8. The stand of Mr. P.P. Dutta, learned Standing Counsel, APSC, is also similar to that of the departmental authorities, inasmuch as, Mr. Dutta has also argued that the APSC authorities were bound by the Rules of 2003. Therefore, unless the candidates fulfill the requirement of advertisement as well as the Rules, they could not have been allowed to participate in the recruitment process.

9. I have considered the submissions made at the Bar and have also gone through the materials available on record.

10. The qualification for appointment in the post of MVI is laid down in the Rules of 2003, which reads as follows :-

“Motor Vehicle Inspector :- H.S.S.L.C. with three years Diploma in Automobile or Mechanical Engineering from a recognized Institution of Government of Assam/Government of India and also duly recognized by AICTE.”

11. It is clear from the Rules of 2003 that the educational qualification prescribed for appointment of MVI is H.S.S.L.C. with three years Diploma in Automobile or Mechanical Engineering. The Rules, however, do not exclude candidates with higher qualification in the same discipline.

12. It would also be significant to note herein that the next higher post in the department is the post of District Transport Officer (DTO). Under the Rules, 30% of the posts of DTO are to be filled up by promoting MVIs. The qualification prescribed by the Rules for appointment to the post of DTO is a “Degree in Arts, Science or Commerce of a University recognized by the Government.”

13. In the case of ***Jyoti K.K. (Supra)***, an issue of similar nature arose for consideration before the Supreme Court. In that case, the Kerala Public Service Commission had invited applications for filling up the posts of Sub-Engineers (Electrical) in the Kerala State Electricity Board. The technical qualification for the post was notified as Diploma in Electrical Engineering of a recognized Institution after 3 (three) years course study or a certificate in electrical Engineering from any one of the recognized technical schools with 5(five) years service under the Kerala State Electricity Board or M.G.T.E. K.G.T.C. in Electrical (Light) and

Power (higher) with 5 (five) years experience as II LD Grade Overseer (Electrical) under the Board. The petitioners, who were holding B. Tech Degree in Electrical Engineering or Bachelor Degree in Electrical Engineering, were not allowed by the Kerala Public Service Commission to participate in the recruitment process on the ground that they did not possess the necessary qualification as prescribed by the Rules. The writ petitioners therein had contended that since they possessed higher qualification, non-consideration of their candidature on the above ground was not correct. As such, a direction as sought upon the commission to consider the petitioners as eligible candidates.

14. The High Court had declined the prayer of the petitioners, as a result of which, they had approached the Supreme Court by preferring SLP. While allowing the SLP, the Supreme Court had made the following observations in paragraphs 7, 8 & 9, which are reproduced herein below for ready reference :-

“7. It is no doubt true, as stated by the High Court that when a qualification has been set out under the relevant rules, the same cannot be in any manner whittled down and a different qualification cannot be adopted. The High Court is also justified in stating that the higher qualification must clearly indicate or presuppose the acquisition of the lower qualification prescribed for that post in order to attract that part of the rule to the effect that such of those higher qualifications which presuppose the acquisition of the lower qualifications prescribed for the post shall also be sufficient for the post. If a person has acquired higher qualifications in the same faculty, such qualification can certainly be stated to presuppose the acquisition of the lower qualifications prescribed for the post. In this case it may not be necessary to seek far.

8. Under the relevant rules, for the post of assistant engineer, degree in electrical engineering of Kerala University or other equivalent qualification recognised or equivalent thereto has been prescribed. For a higher post when a direct recruitment has to be held, the qualification that has to be obtained, obviously gives an indication that such qualification is definitely higher qualification than what is prescribed for the lower post, namely, the post of sub-engineer. In that view of the matter the qualification of degree in electrical engineering presupposes the acquisition of the lower qualification of diploma in

that subject prescribed for the post, shall be considered to be sufficient for that post.

9. *In the event the government is of the view that only diploma holders should have applied to post of sub-engineers but not all those who possess higher qualifications, either this rule should have excluded in respect of candidates who possess higher qualifications or the position should have been made clear that degree holder shall not be eligible to apply for such post. When that position is not clear but on the other hand rules do not disqualify per se the holders of higher qualifications in the same faculty, it becomes clear that the rule could be understood in an appropriate manner as stated above. In that view of the matter the order of the High Court cannot be sustained. In this case we are not concerned with the question whether all those who possess such qualifications could have applied or not. When statutory rules have been published and those rules are applicable, it presupposes that everyone concerned with such appointments will be aware of such rules or make himself aware of the rules before making appropriate applications. The High Court, therefore, is not justified in holding that recruitment of appellants would amount to fraud on the public."*

15. By following the law laid down in the case of **Jyoti KK (Supra)**, A Division Bench of this Court, in the case of **Preety Kashyap (Supra)**, has expressed similar view. That was also a case where the prescribed educational qualification for filling up the post of Draftsman Grade-II/Planning Draftsmen Grade-II, as per the advertisement notice dated 05/09/2013, was 2(two) years Certificate Course in Draftsmanship (Civil) from Government recognized Institution. The name of the private respondents in the writ petition were included in the select list but the name of the two writ petitioners did not figure in the select list. The writ petitioners had assailed the select list by contending that the selected candidates did not possess the qualification of 2 years Certificate Course in Draftsmanship (Civil). Rather, they had undergone 3 years Diploma course, which only qualifies them to be appointed in the next

higher post. The learned Single Judge had interfered with the select list and directed the authorities to recast the same on the basis of selection record and confine the selection only to those candidates having educational qualification as per the advertisement notice. The learned Single Judge had held that just because 3 (three) years Diploma course in Civil Engineering or Architectural Assistantship was the prescribed qualification for the higher post, the same cannot *ip so facto* mean that the qualification can also be treated as an eligibility criteria for the advertised post in question. Interfering with the decision of the learned Single Judge, the Division Bench had held that the appellants/writ petitioners possessed higher qualification, making them eligible for appointment to a higher post than that of the post of Draftsmen Grade-II/Planning Draftsman Grade-II. Therefore, as per the law laid down in the case of **Jyoti K.K. (Supra)**, their higher educational qualification would presuppose the acquisition of the lower qualification of 2(two) years Certificate Course in Draftsmanship (Civil), which qualification has also been considered as sufficient, in so far as the advertised posts are concerned.

16. In another decision of the High Court of Judicature of Jammu & Kashmir and Laddakh, rendered in the case of **Ramnik Singh and another Vs. UT of Jammu and Kashmir th. Financial Commissioner Health and Medical Education Department and others [2023 SCC Online J&K 903]**, the Division Bench had taken a similar view on a similar controversy involved in that proceeding wherein, the Court had observed that although the employer may prescribe a particular minimum qualification for the post, the candidates possessing higher qualification would be eligible, provided the higher qualification is in the same line.

17. In another decision rendered in the case of **S. Gurmeet Singh Vs. State [(2008) 1 JKJ 68]**, the Division Bench of the Jammu & Kashmir High Court had examined the All India Council for Technical Education (AICTE) Admission of Students in Degree Engineering programme through lateral entry Regulations, 2007, more particularly clause 6.1 of the regulations to hold that the relevant notification issued by the AICTE under section 10(o) of the AICTE Act whereby, it was provided that admission of Diploma Holders into 2nd year of Degree Engineering Programme through lateral entry was permissible. The J & K High Court came to the conclusion that the degree in Engineering in the relevant stream was a higher

qualification to that of a Diploma in Engineering on the same subject. Thus, it was held that the petitioners, who were holders of Degree in Automobile Engineering/Mechanical Engineering, would have to be treated as persons holding higher qualification in the concerned discipline of Engineering than that of the Diploma holders, in the relevant discipline. That was also a case where Engineering graduates in Mechanical Engineering were seeking appointment to the post of MVIs but they were rendered ineligible to apply for the post of MVIs merely because they were holding qualification higher than the minimum prescribed qualification of Diploma in Automobile/Mechanical Engineering.

18. By following the law laid down in the case of ***Gurmeet Singh (Supra)***, a single Bench of the Meghalaya High Court, in the case of ***Mr. Ranjeet Singh Vs Union of India and others [2018 SCC Online Megh 117]***, has held that degree in Civil Engineering presupposed that the candidate was holding a Diploma in Civil Engineering in the light of Regulations 6.1 of the Regulations of 2007.

19. It is no doubt correct that in the case of ***Jogesh Kumar and others Vs. Government of NCT, Delhi and others*** reported in ***(2003) 3 SCC 548*** as well as in the case of ***Zahoor Ahmed Rather and others Vs. Sheikh Imtiyaz Ahmed and others*** reported in ***(2019) 2 SCC 404***, the Supreme Court had rejected the contention of equivalence of the 2 (two) categories of educational qualifications on the grounds mentioned therein. In the case of ***Jogesh Kumar (Supra)***, it was held that the qualification of Trained Teachers Certificate (TTC) would not include those holding B. Ed degree by observing that in case of TTC, a specialized training is given to the teachers for teaching small children at primary level which cannot be compared with training given for awarding B.Ed degree. In the case of ***Zahoor Ahmed Rather (Supra)***, the Supreme Court, after relying upon several decisions including the decision rendered in the case of ***P.M. Latha Vs. State of Kerala*** reported in ***(2003) 3 SCC 541***, has held that while prescribing the qualification for a post, the State as employer, would legitimately bear in mind several factors including the nature of the job, the aptitude requisites for efficient discharge of duties, the functionality of a qualification, the content of the course of studies, which lead to the acquisition of the qualification. The State is entrusted with the authority to assess the needs of its public service and, therefore, it is trite law, that exigencies of administration would fall within the domain of administrative decision making. Having held as above, it was further observed that

the decision in the case of **Jyoti K.K. (supra)** must be understood in the context of specific rules under which, holding of a higher qualification, which presupposes the acquisition of a lower qualification, was considered to be sufficient for the post.

20. Distinguishing the law laid down in the case of **Jogesh Kumar (Supra)** and **P.M. Latha (Supra)** on facts, the Supreme Court, in a recent decision rendered in the case of **Puneet Sharma (Supra)**, has held as follows :-

“38. The considerations which weighed with this court in the previous decisions i.e. [P.M. Latha](#), [Yogesh Kumar](#), [Anita](#) (Supra) were quite different from the facts of this case. This court’s conclusions that the prescription of a specific qualification, excluding what is generally regarded as a higher qualification can apply to certain categories of posts. Thus, in Latha and Yogesh Kumar as well as [Anita](#) (supra) those possessing degrees or post-graduation or B.Ed. degrees, were not considered eligible for the post of primary or junior teacher. In a similar manner, for “Technician-III” or 17(2019) 8 SCC 416 18 SLP (C) 10533-37 of 2020 lower post, the equivalent qualification for the post of Junior Engineer i.e. diploma holders were deemed to have been excluded, in [Zahoor Ahmed Rather](#) (supra). This court is cognizant of the fact that in Anita as well as [Zahoor](#) (supra) the stipulation in [Jyoti](#) (supra) which enabled consideration of candidates with higher qualifications was deemed to be a distinguishing ground. No such stipulation exists in the HPSEB Rules. Yet, of material significance is the fact that the higher post of Assistant Engineer (next in hierarchy to Junior Engineer) has nearly 2/3rds (64%) promotional quota. Amongst these individuals, those who held degrees before appointment as a Junior Engineers are entitled for consideration in a separate and distinct sub-quota, provided they function as a Junior Engineer continuously for a prescribed period. This salient aspect cannot be overlooked; it only shows the intent of the rule makers not to exclude degree holders from consideration for the lower post of Junior Engineers.”

21. Taking note of the nature of controversy involved in this proceeding, this Court had passed order dated 28/03/2024 requesting the learned Standing Counsel for All India Council

of Technical Education (AICTE) to clarify, on the basis of instruction as to whether, Bachelor of Engineer (BE) in the Mechanical Branch would pre-suppose the inclusion of 3 (three) years Diploma in Mechanical Engineering. Based on the said order, Mr. K.P. Pathak, learned Standing Counsel, AICTE has obtained written instruction dated 01/04/2024 issued by the Deputy Director (Legal), AICTE and placed the same before this Court. A perusal of the written instruction indicates that Bachelor Degree course in Engineering is the next level to the Diploma course in Engineering and it pre-supposes that the Bachelor Degree holders in Engineering is well conversant with the course content of the diploma course. On 13/05/2024, an affidavit was filed by the assistant Director of AICTE making similar projections whereby, it was mentioned in para 5, as follows :-

“5. That the Bachelor Degree Course in Engineering is at a National Credit Framework (NCrF) level higher than the Diploma Course in Engineering. The lateral entry of Diploma Holders to Bachelor Degree Course in Engineering provides pathways for Diploma holders to acquire knowledge of Bachelor Degree level in Engineering.”

From the above stand taken by the AICTE in its affidavit, it is apparent that the Bachelor of Engineering course in Mechanical Branch would pre-suppose the inclusion of the course of 3 (three) years diploma in Mechanical Engineering.

22. From an analysis of the facts and circumstances of the case, this Court is of the unhesitant opinion that B.E. in Mechanical Engineering is a higher qualification than 3 (three) years Diploma in Mechanical Engineering in the same discipline. The said position is not only borne out from Regulation 6.1 of AICTE Regulation of 2007 but has also been confirmed by the learned Standing Counsel, AICTE, on the basis of instructions obtained by him in terms of the order dated 28/03/2024 passed by this Court. Therefore, applying the ratio laid down in the case of ***Jyoti K.K. (Supra), Puneet Sharma (Supra) as well as Preety Kashyap (Supra)***, to the facts of the case, this Court is of the considered opinion that the qualification of B.E. in Mechanical Engineering held by the petitioners was sufficient for them to met the eligibility norms for participating in the recruitment process for filling up the post of MVI vide advertisement notice dated 22/05/2022. In other words, having possess the B.E. degree in Mechanical Engineering, it must be held that the petitioners had the requisite qualification

prescribed by the Rules of 2003 to apply for the posts of MVI, more so, since the Rules do not exclude those persons with higher educational qualification from participating in the recruitment process.

23. It is also to be noted herein that the qualification of Bachelors Degree in any discipline is the prescribed qualification for recruitment in the next higher post of DTO. Therefore, the writ petitioners were evidently having the requisite qualification for being appointed to the next higher post of D.T.O., which is also a promotional post for the MVI.

24. Ms. M.D. Borah, learned Standing Counsel, Transport Department, Assam, has invited the attention of this Court to the judgement and order dated 01/02/2023 passed in ***WP(C) No. 339/2023 [Kaushik Saikia Vs. Assam Public Service Commission and 4 others]*** to submit that in the earlier round, this Court had decided a similar issue against the candidates and in favour of the Department. However, on a careful scrutiny of the order passed in the case of ***Kaushik Saikia (Supra)***, this Court finds that the question arising in that case was as to whether, a 5 (five) years M. Tech course in Energy Engineering can be treated to be as one which would include 3 (three) years diploma in Automobile and Mechanical Engineering, which was the educational qualification required under the advertisement notice. The writ petition was rejected by this Court by holding that the course of M.Tech in Energy Engineering would not be sufficient to meet the educational qualification of 3 years diploma in Automobile and Mechanical Engineering, as prescribed by the advertisement notice. In that case, one of the grounds for declining the relief to the petitioner was also on account of the fact that he had failed to qualify in the screening test. What would be significant to note herein is that in the case of ***Kaushik Saikia (Supra)***, the candidate had not passed the M. Tech course in the same discipline as required under the advertisement notice but in a different discipline i.e. Energy Engineering, which had no relevance with the posts advertised for. In view of the above, this Court is of the opinion that the decision in the case of ***Kaushik Saikia (Supra)*** is distinguishable on facts and hence, would have no bearing in the facts and circumstances of the present case.

25. For the reasons stated above, the writ petition succeeds in part. The Writ Petitioner nos. 2, 4, 5 & 6, having succeeded in the selection process, would be entitled to be appointed against 4 (four) posts of MVI kept vacant on the strength of the order passed by this Court. The respondents are, therefore, directed to issue appointment orders to these 4(four)

petitioners within a period of 30 (thirty) days from the date of receipt of a certified copy of this order. However, having failed to clear the selection test, the petitioner nos. 1 & 3 would not be entitled to any relief in this writ petition and, therefore, this writ petition stands dismissed in so far as the writ petitioner nos. 1 & 3 are concerned.

Writ petition stands disposed of accordingly.

Parties to bear their own costs.

JUDGE

Sukhamay

Comparing Assistant