

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			WPSB No.396 of 2023 <u>Hon'ble Manoj Kumar Tiwari, J.</u> <u>Hon'ble Pankaj Purohit, J.</u> Mr. Harendra Belwal, learned counsel for the petitioner, through video conferencing. 2. Mr. Yogesh Kumar Pandey, learned D.A.G. for the State. 3. Mr. Pankaj Miglani, learned counsel for the Selecting Body. 4. Mr. Vinod Tiwari, learned counsel for respondent no.4. 5. Petitioner participated in a selection for appointment to the post of Scientific Officer (Chemistry, Toxicology, Explosive and Narcotics Section) held by Uttarakhand Public Service Commission pursuant to advertisement dated 15.03.2022. 6. As petitioner was not selected or recommended for appointment and one Rakesh Kumar Singh (respondent no.4) was selected and recommended, therefore, petitioner has challenged selection and appointment of respondent no.4 in this writ petition. 7. Learned counsel for the petitioner contends that respondent no.4 do not possess the requisite educational qualifications as mentioned in the advertisement, therefore, he could not have been selected and recommended for appointment by the Commission. 8. <i>Per contra</i>, learned counsel for the Selecting Body, submits that marks scored by petitioner as well as respondent no.4 in written examination were equal, however, respondent no.4 was recommended because he

		possessed preferential qualification namely “five years experience in the field of analysis from a Forensic Science Laboratory or Institute”. He further submits that information regarding preferential qualification possessed by a candidate was to be supplied with the application in Format-B; respondent no.4 gave information regarding experience in the field of Forensic Science in the prescribed format while petitioner did not submit the information in Format-B, therefore, he was not given any weightage for preferential qualification. He further submits that respondent no.4 possesses Master’s Degree in Forensic Science which is sufficient for appointment. 9. Learned counsel for respondent no.4 has produced before this Court a certificate issued by Sam Higginbottom University of Agriculture, Technology and Sciences (SHUATS), Prayagraj, in support of his contention that his client’s specialization is in Forensic Chemistry. 10. Learned counsel for the Selecting Body submits that the question whether respondent no.4 and other selected candidates possess qualification needed for appointment to the post in-question in terms of the laid down criteria was referred to an Expert Committee. 11. The report of Expert Committee is enclosed as annexure no.1 to the counter affidavit dated 15.01.2026 filed by Girdhari Singh Rawat, Secretary, Public Service Commission. 12. Perusal of the report indicates that Expert Committee opined that both petitioner and respondent no.4 are qualified as per the condition of eligibility mentioned in the advertisement.
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13. Expert Committee has gone into the question of eligibility of respondent no.4 for appointment, in terms of qualification mentioned in the advertisement. We are also of the opinion that going by Master's Degree possessed by respondent no.4, he cannot be held ineligible for appointment to the post in-question.

14. Even otherwise also, law is well settled that in academic matters, the opinion expressed by Subject Experts has to be respected. Since the Subject Experts have considered the issue in great detail and arrived at a conclusion, therefore, we do not find any reason to take a view different from the one taken by the Expert Committee.

15. For the aforesaid reasons, the writ petition fails and is hereby dismissed.

(Pankaj Purohit, J.)

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05.06.2026

(Manoj Kumar Tiwari, J.)