

– **C. W. P. No. 19126 of 2015**, decided on **01.10.2015**, the issue raised in the present petition has been considered and rejected by a Division Bench of this Court by holding as under :-

“In view of the above, we find that once the State Government has framed statutory Rules in exercise of the powers conferred under proviso to Article 309 of the Constitution, such Rules being legislative cannot be challenged except on account of violation of any other statute or the Constitution. The prescribing of the qualifications required for a post is a matter of experts to decide. Once the experts have fixed a particular qualification, the same cannot be made subject matter of judicial review. Thus, we find that prescribing a post-graduate in MCA or M.Sc. in Computer Science after undergoing regular course cannot be said to be illegal or arbitrary which may warrant interference in the writ jurisdiction of this Court.

Dismissed.”

In view of the above, finding no merit in this petition, the same is ordered to be dismissed in limine.

No costs.

(DEEPAK SIBAL)
JUDGE

October 08, 2015
monika