

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

CWP No.3710 of 2015

Date of Decision: 02.03.2015

Ramesh

....Petitioner

Versus

State of Haryana and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Radhe Shyam Sharma, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of *certiorari/mandamus* for quashing the selection of Steno-Typist (Hindi), which was made in pursuance of Advertisement No.03/2010 in category No.26.

Learned counsel for the petitioner submits that no written test was held by the respondents and selection was made only on the basis of marks of academic qualification and interview. He further submits that the petitioner is confident that he answered all the questions to the satisfaction of Interview Committee, still less marks have been awarded to him, whereas, some of the candidates, who have been selected, are having less marks in academic qualification but more marks have been given to them in *viva-voca*. Learned counsel also submits that in case, the petitioner is called for the interview again, he can assure that he is better qualified *viz-a-viz* selected candidates.

Heard the arguments of learned counsel for the petitioner and have also perused the documents on the file and detailed marks of the petitioner as well as other selected candidates.

The selection to the post of Steno-Typist (Hindi) has been challenged merely on the ground that the petitioner is having more marks in academic qualification, still he has not been selected.

It is not necessary that a person, who is having good marks in academics, is also to be given more marks in *viva-voce* unless his performance is good. Neither the criteria has been challenged nor any *mala fide* has been alleged against the Selection Committee. Only on the ground that the petitioner is having more marks in academic qualification, the selection cannot be set aside. Moreover, the selection is of the year 2010 and has been challenged in the year, 2015.

Dismissed.

02.03.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE