

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

C.W.P. No.7316 of 2015

Date of Decision : 15.05.2015

Seema and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Surender Saini, Advocate
for the petitioners.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

By this petition the petitioners have challenged the advertisement (Annexure P-7) and the subsequent selection process.

The allegations are that the petitioners were working as Cluster Motivator/Motivator under the erstwhile programme on Community Linked Total Sanitation/Nirmal Bharat Abhiyan for the last many years on the honorarium between Rs.3000/- to Rs.4000/-. The same was re-launched under the newly created programme i.e. Swachh Bharat Mission. The petitioners applied for the same but having not been appointed have come before this Court.

The first argument of the learned counsel is that the petitioners having been working, the posts should not have been re-advertised. I am afraid it is too late in the day for the petitioners to raise such plea now. The advertisement appeared on 19/21.02.2014. Not only the petitioners did not challenge the same, they rather went ahead and applied for the job without any demur and subjected themselves to the selection process.

The second argument is that the vast experience of the petitioners and their qualifications have not been rightly appreciated by the appointing authority and arbitrary selections have been made by not giving appropriate marks to the petitioners. A perusal of the criteria (Annexure P-13) reveals that out of total 75 marks, 60 marks have been assigned for educational qualifications, 2 marks for higher qualifications, 2 marks for computer course, 5 marks for experience and 6 marks for interview. It is only the validity of the prescription of 6 marks for interview which have to be tested. In my opinion, the prescription of 6 marks for interview out of total 75 marks cannot be taken to be arbitrary. No other argument has been raised by the learned counsel for the petitioner.

In the circumstances, the petition is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

May 15, 2015

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**(AJAY TEWARI)
JUDGE**