

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.916 of 2016

1. Kailashpati Pandey, S/o Wachaspati Pandey, aged about 37 years, R/o Village Rungra, Near Hawaii Patti, Police Station Balco, District Korba, Chhattisgarh.
2. Smt. Lalima Tiwari, W/o Shri Ved Prakash Tiwari, aged about 40 years, R/o Village Rungra, Near Hawaii Patti, Police Station Balco, District Korba, Chhattisgarh.
3. Raju Singh Rajput, S/o Shri Parmeshwar Singh Rajput, aged about 28 years, R/o Residency Quarter of High Court, Quarter No.I. 1/3, Chakarbhatha, Police Station Chakarbhatha, District Bilaspur, Chhattisgarh.

---- Petitioners

Versus

1. State of Chhattisgarh, through the Secretary, Law & Legislative Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
2. The Registrar General, High Court of Chhattisgarh, High Court Premises, Bodri, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioners:	Mr. Bharat Rajput, Advocate.
For State/Respondent No.1: -	Mr. S.P. Kale, Deputy Advocate General, on advance copy.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

30/03/2016

1. Heard on admission.
2. In an advertisement issued by the Registrar General, High Court of Chhattisgarh for appointment on total 60 posts of Sweeper/Farrash/Mali/Guard/Vehicle Driver and others posts, petitioners No.1 and 3 submitted their candidature for the post

of Driver and petitioner No.2 submitted his candidature for the post of Cook along with their relevant eligibility certificates. The petitioners were interviewed by the recruiting authority after calling them for interview. The list of candidates selected for skill test was declared making it 193 candidates in which the petitioners were not included.

3. Being aggrieved against non-inclusion of their names in the said list for skill test, this writ petition has been filed stating inter alia that the petitioners are also eligible, meritorious and qualified and their names ought to have been included for skill test in which 193 candidates have been included.
4. Learned counsel for the petitioners would submit that the petitioners have done well in the interview, each and every question raised by the interviewing authority was duly replied and therefore, their non-selection in the skill test and their exclusion is unsustainable and bad in law.
5. After hearing learned counsel for the petitioners, I am of the opinion that it is for the recruiting authority to assess the relative merit of candidates appearing in the interview and this Court cannot sit over the assessment made by the recruiting authority particularly when there is no allegation of favoritism, bias or any other adverse allegation raised in the writ petition, taking into account the fact that the said selected candidates i.e. 193 in number are not before this Court and as such, only on the basis of non-inclusion of the petitioners' name in the said list in the screening test, it cannot be held that the petitioners' non-

selection for further skill test was unreasonable or suffers from any bias of arbitrariness or discrimination. I do not find any merit in the case. The writ petition deserves to be dismissed and it is accordingly dismissed in limine. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma