

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

(225)

**CWP No. 13899 of 2014
Date of Decision: 15.09.2016**

Rakesh Sharma

.....Petitioner(s)

Versus

Chairman Cum Managing Director Sarva Haryana Gramin Bank
and Others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: - Mr. J.P. Bhatt, Advocate
for the petitioner.

Mr. A.S. Gaghia, Advocate
for the respondents.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, the petitioner has sought for quashing select list vide Annexure P-9. The impugned selection list of Group B-Office Assistant vide which the respondents selected 57 candidates from the OBC category rejected the claim of the petitioner for not producing a degree of graduation and sought for a direction to the respondents accept the provisional certificate issued by the University of Rajasthan dated 13.03.2014. The respondents advertised for the post of Group B-Office Assistant in the year 2013. The petitioner is stated to be one of the candidate for the recruitment of common written test for RRBS

for recruitment of Group-A-officers and Group-B-Office Assistant (multipurpose employee). In which the petitioner has passed a written examination and he was called for interview. In the written examination he has secured 45.15 and in the interview he was awarded 17 marks totalling to net marks i.e. 62.15 and his name was kept in waiting list at Serial No. 22.

2. The grievance of the petitioner is that respondents have failed to accept provisional degree certificate issued by the University of Rajasthan and further it was contended that persons who have secured less marks in the written test have been awarded more marks in interview than the petitioner. Even though the petitioner has secured more marks than the selected candidates in the written examination. Therefore, the selection vide Annexure P-9 is illegal and arbitrary.

3. On the other hand, learned counsel for the respondents submitted that respondents recruiting authority have not rejected the petitioner's degree certificate for the purpose of eligibility to the post of Group B-Office Assistant. In fact the petitioner was interviewed and 17 marks have been awarded. According to the merit his name has been kept in waiting list at Serial No. 22. Therefore, the petitioner has not made out a case so as to set aside the select list merely on the ground that those candidates who have scored lesser marks in the written examination and such of those candidates have been awarded interview marks more than the petitioner is not a ground.

4. Heard learned counsel for the parties.

5. Short question for consideration is whether the select list is

illegal and arbitrary. The petitioner has not urged any mala fide against the respondents in awarding interview marks as 17 and awarding more marks to other candidates than the petitioner. The contention of the petitioner that provisional degree certificate was not accepted by the respondents is not tenable for the reasons that petitioner was directed to participate in the interview process and he has participated in the interview process and he has been awarded interview marks. Thereafter, his name has been kept in waiting list at Serial No. 22 according to merit.

6. In view of these facts and circumstances, the petitioner has not made out a case so as to interfere with the impugned select list.

Petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

15.09.2016

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Whether Speaking/Reasons: Yes/No

Whether Reportable: Yes/No