

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

Date of decision: 11.11.2016

CWP No.23480 of 2016

Sanjay Kumar Bhanu

...Petitioner

Vs.

District & Sessions Judge, Faridabad & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Sonia G. Singh Samber, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

Till the rules of recruitment are in place in view of the directions issued by the Supreme Court in Renu & others Vs. District & Sessions Judge, Tiz Hazari Court, Delhi & anothers, (2014) 14 SCC 50, for selection of Peons and other Class IV staff, the criteria adopted for selecting Peons in the Sessions Division, Faridabad is the past practice followed for many years for appointments based on criteria to include assessment of candidates on level of education, conduct, cleanliness and general awareness judged at the time on interview. The criterion is appended to this petition as Annex P-5.

The petitioner has approached this Court challenging the selection made to the posts of Peons in the Sessions Division, Faridabad on the ground that marks in interview should not exceed 12.2% in terms of the ruling in Ashok Kumar Yadav & others Vs. State of Haryana & others, AIR 1987 SC 454 and, therefore, the criteria itself is arbitrary and has resulted in unfair selection. However, the marks assigned for interview should be not more than 25%.

The petitioner has applied for the post and competed and offered himself for interview, but has not been successful to find his name in the merit list. Therefore, it is not open to him to turn around and criticize the criteria. I would, therefore, find no ground to intervene in the selection process or the appointments on the challenge brought as it is not an illegal or arbitrary one and would disallow the petition.

Dismissed.

11.11.2016
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*