

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.7653 of 2016(O&M)
Date of Decision: April 27, 2016

Ganesh Dutt and othersPetitioners
versus
Union of India and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE A.B.CHAUDHARI.

Present: Mr.Shailendra Sharma, Advocate, for the petitioners.

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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?

Surya Kant, J. (Oral)

The petitioners have laid challenge to the order dated 02.09.2015 whereby the Central Administrative Tribunal, Chandigarh Bench has dismissed their Original Application in which selection to the posts of Mate (semi-skilled) in different categories like, Mate Electrician, Mate Fitter General Mechanic, Mate Refrigerator Mechanic, Mate Carpenter, Mate Mason, Mate Pipe Fitter, Mate Painter etc. etc., was assailed.

The petitioners were also amongst the candidates who applied for 186 posts advertised by the respondent-authorities. Most of them were candidates for the posts of Mate (Pipe Fitter), Mate (Fitter General Mechanic) and Mate (Driver).

The respondents finally selected 186 candidates. Since the petitioners' name did not figure in that list, they challenged the final selection list before the Tribunal.

It has come on record that qualification for the

subject posts was Matriculation/I.T.I. in the respective technical stream and the selection was made after adjudging the suitability of the candidates firstly by way of written test held on all India basis on 02.09.2012 and thereafter interviewing the qualified candidates. The Tribunal has found that marks of the last selected candidate in general or reserved categories are higher than those of the petitioners, hence, no case to interfere with the selection was made out, morso, when no glaring irregularity in the selection process could be pointed-out.

We have heard learned counsel for the petitioners at a considerable length and gone through the record.

In the absence of any specific allegation with regard to (i) lack of competence of the Selection Committee; (ii) bias or favouritism; (iii) the criteria of pick and choose; (iv) lack of uniformity in the application of selection criteria and (v) any illegality in the prescription of the selection criteria, it being arbitrary or discriminatory, the scope of judicial review before the Tribunal or this Court would surely be restricted to the validity of selection process and its final outcome. The Tribunal has rightly declined to interfere with the selection as no allegations of manipulation of the result or of any visible favouritism were made or proved.

No case to interfere with the order passed by the Tribunal is made out.

Dismissed.

[SURYA KANT]
JUDGE

April 27, 2016
mohinder

[A.B.CHAUDHARI]
JUDGE