

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5080 of 2016

Harishankar S/o Buddheshwar Prasad, Aged About 32 Years R/o Village Piperbhouna, Post Dhangaon, Tahsil Bilaigarh, District Balodabazar- Bhatapara, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary, Department Of Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
2. The State Of Chhattisgarh, Through The Secretary, Department Of Medical, Mantralaya, Mahanadi Bhawan, Naya Raipur, Civil And Revenue District Raipur, (Chhattisgarh)
3. Late Shri Lakhiram Agrawal Memorial, Government Medical College, Through: Dean, Raigarh, Civil And Revenue District Raigarh, (Chhattisgarh)
4. Jitendra Jaiswal, S/o Late Kalyanilal Jaiswal, Aged About 29 Years At Present R/o C/o Uttam Kumar Jaiswal, House No. H 21/13, Nutan Colony, Sarkanda, Bilaspur, Civil And Revenue District Bilaspur (Chhattisgarh), Permanendt Address- Village & Post Somdhi, Tahsil Baloda, Civil And Revenue District Bilaspur, (Chhattisgarh)

---- Respondents

Shri Punit Ruparel, counsel for the petitioner/s.
Shri Chandresh Shrivastava, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/07/2017

This petition has been filed by the petitioner aggrieved by valuation in the matter of appointment on the post of Steno-cum-Computer Operator. The petitioner is aggrieved by higher marks awarded to respondent No.4 who has been given appointment against the post of Steno-cum-Computer Operator reserved for OBC.

2. Submission of learned counsel for the petitioner is that checking and valuation done by the respondents is illegal and arbitrary in as much as less marks have been awarded to the petitioner and more marks to respondent No.4.

According to learned counsel for the petitioner, upon checking of Skill Test answer sheets of respondent No.4, because of many mistakes committed by him, more marks should have been deducted.

3. What petitioner seeks from the Court is re-valuation and re-checking of the answer sheets of himself and that of respondent No.4. The answer sheets of the petitioner and respondent No.4 are found to have been checked by the examiners and marks awarded.

4. In the absence of there being any violation of rules governing selection or there being any allegation and any specific material of malafide exercise of power or that the valuation and checking done being so arbitrary as to warrant interference by the Writ Court in exercise of jurisdiction under Article 226 of the Constitution of India, I am not inclined to interfere with the order of appointment of respondent No.4. The petition is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge