

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1479 of 2017

- Premlata Agrawal, D/o Arun Agrawal, Aged About 53 Years, R/o Baniyapara, In Front Of House Of Dharampal Gupta, Durg, District- Durg, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary, Women And Child Development Department, Mahanadi Bhawan, Mantralaya, New Raipur, P.S. Rakhi, District- Raipur, Chhattisgarh
2. The Director, Women And Child Development Department, Indravati Bhawan, Block-01, Second Floor, New Raipur, Chhattisgarh
3. The Collector, District- Durg, Chhattisgarh
4. The District Programme Officer, Women And Child Development Department, Durg, Chhattisgarh
5. Asanti Sahu D/o Late Chetan Ram Sahu R/o Village & Post- Magarlod, District- Dhamtari, Chhattisgarh

---- Respondents

For Petitioner	Shri Akhilesh Mishra, Advocate
For Respondent-State	Shri S. P. Kale, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

28/03/2017

1. Petitioner would call in question the selection of respondent No.5 as Centre Administrator of Sakhi One Stop Centre.
2. The advertisement (Annexure-P-2) was issued by the Commissioner, Women and Child Development Department, Government of Chhattisgarh for appearance of the candidates in walk-in-interview on 10.02.2017. From the select list, it appears, different marks were allotted to the candidates on the strength of the percentage of marks secured in qualifying examination, knowledge of computer, experience, skill test etc. Upon consolidated assessment on all the parameters, the respondent No.5 secured 56.22 marks, whereas the petitioner secured 50.15 marks. Being a better suitable candidate than the petitioner, the respondent No.5 has been offered appointment as Centre Administrator of Sakhi One Stop Centre.
3. Shri Akhilesh Mishra, learned counsel for the petitioner, would submit that the respondent No.5 is less meritorious than the petitioner, as she does not have the requisite experience in terms of the norms prescribed in the documents at page 14 of the paper book.
4. A bare perusal of the document at page 14 or 17 would indicate that the same is not shown to have been issued by the State Government or any authority under the Central or the State Government. In the advertisement (Annexure-P-2),

there is no such requirement of minimum experience of 5 years. It is not averred in the petition nor any document has been filed that the subject appointment is governed under any statutory prescription, therefore, the eligibility conditions mentioned in the advertisement would hold the field and since there is no condition for minimum experience in the said advertisement, the condition that on one of the criteria fixed by the Selection Committee, the petitioner was better than the respondent No.5 would not assist the petitioner because the suitability has been considered on all aspects of the matter rather than any one of them and in the final analysis the respondent No.5 has been found to be more meritorious.

5. For the foregoing, the writ petition has no substance. It deserves to be and is hereby dismissed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala