

CWP no. 23612 of 2017 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP no. 23612 of 2017 (O&M)

Date of Decision :13.10.2017

Ashutosh Chauhan

....Petitioner(s)

Versus

Reserve Bank of India and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI

Present : Mr.Anil Kumar Bhardwaj, Advocate for the petitioner(s)

MAHESH GROVER, J.(ORAL)

This writ petition has been filed questioning the selection process, in particular that of respondent no.3, whose particulars though have not been mentioned in the writ petition but has been described by the roll no. assigned to him in the selection process.

Before us, learned counsel for the petitioner contends that there was absolutely no transparency in the selection process. The examination was held on 9.4.2017 which contained incorrect options in the available choices. It is contended that instantaneously he applied for the information under the Right to Information Act which was granted to him but it was disclosed that the question paper was destroyed immediately in terms of the policy of the Board which information is also uploaded on the RBI website. However, the answer key to the objective paper of the Technical Civil and the attempted answers of the petitioner were indeed disclosed to him. Apart from this, another plea has been raised that the interview process was not

fair. However, no mala fides are alleged against anyone.

On due consideration of the matter, we are of the opinion that the writ petition necessarily has to be fail. Firstly, the examination took place on 9.4.2017 and the petitioner was armed with necessary information in May, 2017 itself but he chose not to question the selection till as late as September, 2017 i.e two days after the interview. A writ petition filed by him earlier was withdrawn with liberty to file a fresh one and the present writ petition is a result of this exercise.

The information of retention of question papers being on website was expected to be in the know of the petitioner and in any eventuality, no prejudice manifests itself when the entire answer key as also the answer book of the petitioner have been disclosed to him under the Right to Information Act.

If the question paper has been destroyed in terms of the policy, we would have no reason to find fault with such a policy in the absence of any material suggesting bungling in the selection. A selection process necessarily has to be accorded due sanctity unless its violation is shown. There are no mala fides alleged by the petitioner and no irregularity alleged. Therefore, it is a clear case where petitioner had fought and lost to question selection after having failed in the process.

Hence, instant petition is held to be without any merit and the same is hereby dismissed.

(Mahesh Grover)
Judge

(Raj Shekhar Attri)
Judge

13.10.2017

rekha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No