

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 4354 of 2008**

Ranjana Ely W/o Ishwar Das Kujur, aged about 38 years, caste
Uraon, R/o village Funder Dihari, Ambikapur, District Sarguja (CG)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary Higher Education, DKS Bhawan, Raipur (CG)
2. Chhattisgarh Public Service Commission, through the Secretary, Shanker Nagar Marg, Raipur (CG)

---- Respondents

For Petitioner	:	Shri Abhishek Pandey, Advocate
For Respondent/State	:	Shri Adhiraj Surana, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

24/04/2018

The grievance of the petitioner is that she had participated in the recruitment process for the post of Assistant Professor (Zoology) against the post reserved for Scheduled Tribe women candidates but she was not considered for the said post on the basis of her qualification and marks obtained in the interview.

2. Counsel for the petitioner submits that there were only two candidates available i.e. the petitioner and one Monika Thakur for the said post and that the respondents did not find both the candidates to be eligible for recruitment. According to the counsel for the petitioner, since the petitioner had answered all the queries put to her in the interview, she could not have scored less percentage of marks and therefore, the entire process need to be done again.

3. Perusal of the record would show that the advertisement itself had very specifically enumerated the fact that in case of less candidates for a particular post, they would not conduct a written examination but would only conduct an interview and thereafter would proceed further with the recruitment process. In the instant case, as per the petitioner herself, there were only two candidates available and therefore, the respondents have rightly decided to proceed with the recruitment process by conducting interview. The respondents have also filed their reply wherein they have categorically submitted that the petitioner was subjected to interview and since she could not obtain minimum percentage of marks required for a reserved category candidate i.e. 23% in the interview, she was not selected. No rejoinder to this has been filed by the petitioner.

4. Another aspect which has to be considered is that at the time of filing of writ petition, the petitioner was aged about 38 years. Today, the petitioner is around 48 years as per the cause title of the petition. This itself would make the petitioner ineligible for recruitment as she has crossed all permissible limits so far as the maximum age for recruitment is concerned. As such, the writ petition has practically become infructuous except for the academic interest involved.

5. Accordingly, the present writ petition stands dismissed as having become infructuous.

**Sd/-
(P. Sam Koshy)
JUDGE**