

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 666 of 2018**

- Rohit Kumar Gopal S/o Shri Ramdhan Gopal, Aged About 31 Years R/o Ward No. 8, Near Maharanapratap Chauk, Ring Road, No. 2, In Front Of Amrit Petrol Pump, P.S. And Tah Bilaspur, Distt. Bilaspur, Civil And Revenue District : Bilaspur, Chhattisgarh

---- Appellant**Versus**

1. State of Chhattisgarh Through Secretary, Fisheries Department, Mahanadi Bhavan, Mantralay, New Raipur Chhattisgarh.
2. The Director, Fisheries Department, Directorate, Indrawati Bhavan, New Raipur (Chhattisgarh)
3. The Selection Committee, Fisheries Department, Directorate, Indrawati Bhavan, New Raipur (Chhattisgarh)

---- Respondents

For Appellant	:	Shri Manoj Kumar Sinha, Advocate
For Respondent-State	:	Shri Gary Mukhopadhyay, Government Advocate

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Judgment on Board****Per, Ajay Kumar Tripathi, Chief Justice****13.09.2018**

1. Appeal has been preferred against the order dated 31.07.2018 since the writ application of the appellant was dismissed by the learned Single Judge.
2. The learned Single Judge took note of the fact that the earlier grievance raised by the Petitioner in a writ application was disposed off with a direction upon the respondent authorities to consider his representation and decide the same. The representation was decided on 10.07.2018, where the claim of the appellant for grant of marks for the Training which he may have taken for Fisheries in land or otherwise has been rejected by a speaking order dated 10.07.2018. This order became subject matter of challenge in the writ application. Having failed to beget relief, the present appeal has been preferred.

3. The learned Single Judge had given following reasons for dismissing the writ application :

“5. Perusal of advertisement would reveal that, the qualification required for the post for which the petitioner had applied was BFSC from a recognized university or the degree in Biology with diploma in Fisheries subject. The petitioner came within the second category wherein he has a degree in Biology with diploma in Fisheries subject.

6. The contention of the counsel for the petitioner is that, though he has been granted marks for degree course, but his marks for the diploma in Fisheries subject has not been granted and if the same had been granted, the petitioner would come in the order of merit.

7. This Court on perusal of record particularly the contents of the impugned order Annexure-P/1 finds that, the authorities concerned have duly considered the representation and have reached the conclusion that marks have been allotted to the substantial course which the petitioner or other candidates have undertaken i.e. the course of degree in Biology. ”

4. Looking at the advertisement and the requirements laid down in the advertisement, there is no mandate to award separate marks for any diploma in Fisheries or Training in Fisheries. The primary marks has to be awarded on the basis of a degree obtained in Biology.
5. In view of the above, there is no error in the impugned order of the learned Single Judge, which is required to be rectified in the appeal.
6. The appeal has no merit. It is dismissed.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge