

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-19297-2014

Date of decision: 13.07.2018

Kavita Rani

...Petitioner

V/s.

Kurukshetra University and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Ms. Ratika Attri, Advocate for
Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Mohinder Singh, Advocate for respondent No. 1.

Mr. Madan Pal, Advocate for respondent No. 2 .

RITU BAHRI, J. (Oral).

The petitioner is seeking issuance of a writ in the nature of certiorari for quashing the selection and appointment of respondent No. 2 Jasbir Singh son of Manjit Singh Saini to the post of Senior Technical Assistant (NMR Operator) made by respondent No. 1 as per advertisement No. 2/2003 (Annexure P-1).

As per the advertisement, one post of Senior Technical Assistant (NMR Operator) was advertised from the general category. The essential qualification was M.Sc. Chemistry (Organic) with at least 2nd division for NMR Operator. The petitioner was possessing the qualification of Matric, 10+2, B.Sc., M.Sc. (Chemistry) as per the certificates (Annexure P-2 collectively) and she applied for the said post on 06.12.2013 (Annexure P-3). The University received 11 applications for the above said one post and the date of interview was fixed on 19.05.2014. The petitioner was issued roll no. 11 and the interview took place in the office of Dean, Faculty of Science, Deans Building, Kurukshetra University, Kurukshetra

University.

The grievance of the petitioner is that the result was declared but it was neither displayed on the website nor on the notice board of the University. The result was declared on 26.05.2014 and respondent No. 2 was selected and appointed on 26.05.2014. She sought information with respect to eligibility of respondent No.2 by making application on 30.07.2014 (Annexure P-5). The University sent a reply on 02.09.2014 on the information sought under RTI Act, 2005 by the petitioner. The petitioner thereafter came to know from reliable sources that respondent No. 2 was not fulfilling educational qualification. Hence, the present writ petition is filed.

On notice, reply has been filed by the University-respondent No.1 and it is stated that the selection was made after following the criteria approved by the Vice Chancellor and evaluated the technical skills of the candidates by the selection committee who studied the organic subject in their M.Sc. Chemistry degree program. On the date of interview, out of 11 eligible candidates, the petitioner appeared at Sr. No. 7 before the selection committee. As per para No. 9 of the reply, it has been stated that respondent No. 2 was selected as he was possessing the qualification of M.Sc. Chemistry with the subject of Organic as Annexure R-1/2. A perusal of this Annexure R-1/2 shows that he had done M.Sc. Chemistry with Inorganic Chemistry (General), Physical Chemistry (General), Organic Chemistry (General) and Mathematics for Chemists. The University has placed on record the complete merit list (Annexure R-1/1) for the post of Senior Technical Assistant (NMR Operator). A perusal of Annexure R-1/1 shows that respondent No. 2 Jasbir Singh got total 17 marks out of 25 marks

and the present petitioner Kavita Rani got 8 marks. Keeping in view Annexure R-1/1, respondent No. 2 was rightly selected on the said post as he was duly qualified having done M.Sc. with organic chemistry as the essential subject and the petitioner after having participated in the selection process got 8 marks and was on serial no. 7 and the respondent No. 2 was on serial No. 5.

Hence, no case to interfere in the appointment of respondent No. 2 is made out.

Dismissed.

13.07.2018

Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No