

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.21796 of 2018

Date of Decision:-20.09.2018

Rahul Gautam.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Kamal Narual, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner is stated to have competed for appointment for the two posts of Lecturer in Maths (One General category & One Scheduled Caste category) on payment of consolidated salary pursuant to the advertisement dated August 2016 (P-1) issued by the Society for Promotion of Quality Education for Poor and Meritorious Students of Punjab. The selected candidates were to be posted at Senior Secondary Residential Schools for meritorious students set up by the Society for providing quality education as per the scheme floated by the Government. The selection process comprised of a written test and accordingly 40% weightage was accorded to the marks obtained in such written test. Along with the weightage of the written test the weightage was also provided for the qualifications possessed by the candidates including 10 marks for interview.

The total marks fixed were 100 under which the merit of the petitioner was

to be computed based on the aforesaid aspects. The petitioner who belongs to Scheduled Caste category was declared ineligible after the stage of interview as he did not secure minimum of 5 marks out of 10 in the interview as per the stipulated criteria notified in the advertisement.

After two years the present writ petition has been filed seeking the quashing of the decision, whereby he was declared as ineligible for selection.

After hearing Counsel for the petitioner, no ground for interference is made out. No doubt the stipulation, which provides that a candidate would be declared ineligible if does not secure minimum of 5 marks out of 10 in the interview would be arbitrary, however, same was required to be challenged before undertaking the selection process. The petitioner after having undergone the selection now cannot turn around and make a grievance. Even the criteria has not been challenged in the present writ petition. That apart the appointment was on contract basis and after a delay of two years no relief can be granted.

In view of the above, finding no merit in the present writ petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

September 20, 2018
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>