

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT PETITION (S) NO.4085 OF 2019

Davesh Kumar Pandey S/o Shri Ramakant Pandey Aged About 47 Years R/o Qr. No. 9/3, School Campus Sainik School Ambikapur.

...Petitioner(s)

Versus

1. Union of India Through Secretary Ministry of Defense, South Block, Cabinete Secrateriate Raisen Hill New Delhi.
2. Principal Sainik School Ambikapur Chhattisgarh., District : Surguja, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Anurag Jha, Advocate.
For Respondents	:	Shri Raj Kumar Gupta, A.S.G. and Shri Krishna Gopal Yadav, Advocates.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17.06.2019

1. The prayer which the petitioner has sought for in the present writ petition is to consider the case of the petitioner in accordance with law for the post of Mess Manager for which the petitioner had applied.
2. The counsel for the petitioner submits that the petitioner is a Matriculate and has already been working with the respondents as Mess Manager since, 2015 onwards and as such has all the requisite experience for being considered for the said post, but the petitioner has been declared ineligible by the committee concerned.
3. Annexure P/6 is an advertisement which has been issued by the respondents and where the qualification prescribed for the post of Mess Manager is reproduced herein under:

“ i. Matriculation or equivalent.

ii. Diploma/Degree in catering from a recognized institution.

- iii. At least five years experience of running a catering organization independently in civil, Defence Services or in any other similar organization.
- iv. Ability to maintain mess accounts.”

4. Perusal of records filed along with the writ petition would show that the petitioner seems to be only matriculate. He does not have the qualification of Diploma or Degree in Catering from a recognized institution. This fact itself is sufficient for declaring the petitioner ineligible. Merely because the petitioner in the past has been working with the respondents or discharging the duties of a Mess Manager by itself would not give the petitioner any added advantage unless the petitioner has the minimum eligibility criteria that is sought for. The Standard Operating Procedure (SOP) for the staff and departmental promotion also prescribes certain qualification for the Mess Manager and in that SOP also the requirement of the Diploma/Degree in Catering Services is reflected which is not available with the petitioner.
5. Given the said facts, the petitioner does not seem to have made out a strong case calling for an interference with the recruitment process initiated by the respondents for filling up of the post of Mess Manager.
6. Accordingly, the Writ Petition being devoid of merit deserves to be and is rejected.

Sd/-
(P. Sam Koshy)
Judge