

CWP-22864-2017 (O&M)

**204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-22864-2017 (O&M)
Date of decision : 27.08.2019**

Manju Rani

... Petitioner

Versus

Chaudhary Bansi Lal University, Bhiwani

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. J.L. Goyal, Advocate for the petitioner.

Mr. Kuldeep Tiwari, Advocate for the respondent.

AMIT RAWAL, J. (ORAL)

Petitioner is seeking indulgence of this Court for issuance of a writ in the nature of certiorari quashing impugned score sheet of candidates appeared for interview for the post of Assistant held on 02.06.2017 qua BCB Category.

In pursuance to advertisement dated 23.02.2017 caused by the respondent/University, inviting applications for filling up 8 posts of Assistant, petitioner belonging to BCB Category applied and following qualification was fixed:-

"i) Bachelor Degree with 50% marks from recognized University with 5 years experience as Clerical Cadre in Govt./Semi Govt./Govt./Aided/University/College/Professional Institution.

OR

ii) Matriculate/Higher Secondary with 10 years Clerical Cadre as Clerical Cadre in Govt./Semi Govt./Govt. Aided/University/College/Professional Institution.

iii) Hindi/Sanskrit upto Matric standard"

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Mr. J.L. Goyal, learned counsel appearing on behalf of the petitioner has drawn the attention of this Court to Annexures P-7 and P-8, information received under Right to Information Act, that the entire selection process consisting of computer typing, general aptitude, academic qualification, work experience and interview of various other categories of the applicants, was conducted by the Committee and have been selected, thus, action of the respondents in not awarding under two column i.e. domain knowledge and interview, is fallacious, much less, preposterous.

Mr. Kuldeep Tiwari, learned counsel appearing on behalf of the respondent submitted that the Committee did not find any candidate under Backward Class Category B, to be in the merit list, thus, there is no selection in BCB Category and posts are lying vacant. However, as and when, University wants to fill up the posts, due selection process will be followed.

I have heard learned counsel for parties and appraised paper book.

From the perusal of selection criteria, against column E & F, it was within domain of purview of selection committee to award 20 marks.

It would be apt to reproduce para 6 and 7 of preliminary objection of written statement extracted here-in-under:-

"6. That on the recommendation of the committee, 36 candidates { 17-UR, 5-EBPG, 4-SC, 6-BCA, 3-BCB, 1-ESM (Gen)} were called for interview held on 02.06.2017 out of which 35 candidates appeared before the Selection Committee. Proceedings of the Selection Committee dated 02.06.2017 were approved by the Vice-Chancellor. As per recommendations of the Selection Committee, no candidate has been selected under

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BCB category.

7. That the Selection Committee had awarded marks to the candidates on the basis of their respective assessment of the domain knowledge and performance during interview. The Selection Committee did not found any of the candidates under category BCB fit for selection and did not recommend any one for the same. No right accrues in favour of the petitioner or any other person who were not found suitable for the post by the Selection Committee. As such the present writ petition is not maintainable in its present form. One post of assistant advertised in BCB Category is still lying vacant as none of the 3 candidates called for interview, was recommended by the Selection Committee."

From the cumulative readings of the aforementioned para, it is crystal clear that the University did not find any candidate fit for selection for the post of Assistant under BCB Category.

Petitioner has right of consideration and cannot implore for selection. Annexures P-7 and P-8, pertain to selection process including interview process of candidates belonging to other categories and not BCB Category. This fact has not been disputed by learned counsel for the petitioner, thus, in such circumstances, I am of the view that writ petition sans merit.

No ground is made out for interference.

Dismissed.

27.08.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned	Yes/ No
Whether Reportable	Yes/ No