

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

CWP No.44 of 2018

Date of decision:-24.01.2019

Ex. Sub.Ravi Kumar

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Rohiteshwar Singh, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner is an ex-serviceman. Apparently he had applied for appointment to the post of Welfare Worker in the ESM (Backward Class) Category. Having remained unsuccessful, instant petition has been filed impugning the selection list issued by the respondent authorities dated 23.12.2016 (Annexure P-3) pertaining to his category and for quashing of the selection and appointment of respondents No.4 to 7 to the post of Welfare worker.

Counsel for the petitioner has been heard at length.

Concededly petitioner had applied for the post in question in response to advertisement bearing No.6 of 2015 (Annexure P-1) issued by the Subordinate Service Selection Board, Punjab. In such advertisement apart from other posts a total of 37 posts of Welfare workers were advertised for the department under the Sainik Welfare Board. Five posts were reserved for the backward class category. The essential educational qualification prescribed for the post of Welfare Worker were “Ex

Serviceman of Army, Navy or Air Force, Junior Commissioned Officer, who have passed Matric from the Government approved institute/University or having special certificate of education from the Indian Army. Clause 14 of the advertisement governed the selection process and it was clearly recited therein that the merit will be prepared on the percentage of marks obtained in Matric or its equivalent, Indian Army Special Certificate of Education.

Counsel informs the Court that the petitioner is a Matriculate and has secured 584 marks out of a total of 1200. A specific query having been put to counsel as to whether the private respondents No. 4 to 7 have secured a lower percentage of marks in the matriculation examination or any other equivalent examination, counsel is not in a position to respond to such query.

Since the final merit was to be determined only on the basis of percentage of the marks obtained in the Matric, and counsel being not in a position to demonstrate that the private respondents had secured a lower merit position, the challenge raised in the instant petition is not well founded.

There is no merit in the petition and the same is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

24.01.2019
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No