

\$~35 (2021)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of decision: 27.09.2021*

+ **W.P.(C) 10945/2021 and CM APPL. 33744/2021**

PRAVESH KUMAR & ORS.

..... Petitioners

Through: Ms. Amita Singh Kalkal, Advocate.

versus

DELHI SUBORDINATE SERVICES SELECTION BOARD &

ANR.

..... Respondents

Through: Mrs. Avnish Ahlawat, Standing
Counsel.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE TALWANT SINGH

[PHYSICAL COURT HEARING]

RAJIV SHAKDHER, J. (ORAL):

1. This writ petition is directed against the order dated 26.03.2021, passed by the Central Administrative Tribunal (in short, "Tribunal") in OA No. 678/2021.

2. The petitioners had applied for the post of Statistical Assistant, against advertisement no. 1/2017, issued by respondent no.1/DSSSB. The subject post was allocated code no. 4/17.

2.1. Concededly, the petitioners before us have post-graduate degree, albeit, in business administration i.e., Masters in Business Administration (MBA), and seek appointment(s) to the aforementioned post.

3. The recruitment rules, which provided for essential qualification, *qua* the subject post, read as follows:

"Educational Qualification:-

Essential:-Post Graduate degree in Statistics/Operational

Research/Mathematical Statistics/ Applied

Statistics or Post Graduate Degree in Economics /

Mathematics/ Commerce (with Statistics as one of the subject/ papers in Post-Graduation / Graduation Level).

Note: The candidate who have passed Statistics as one of the papers/ subjects including Quantitative Method/ Techniques or Costing & Statistics / Basic Statistics / Business Statistics/ Introduction to Statistics etc. at Graduation / Post Graduation Level are also eligible.”

4. Learned counsel for the petitioners says that, since the petitioners are holders of a post-graduate degree, and having passed paper(s) in Statistics, at the graduation level as also at post-graduation level, they are eligible for being considered for appointment to the subject post.

4.1 It is the submission of Ms. Amita Singh Kalkal, who appears for the petitioners, that, post-graduate degree in Commerce i.e., Masters in Commerce (M.Com.) is equivalent to an MBA degree.

4.2. The Tribunal has repelled this contention advanced on behalf of the petitioners.

4.3. According to us, the Tribunal is right. The post-graduate degree in Commerce i.e., M. Com cannot be equated with an MBA. In any event, in our opinion, ascertaining equivalence between degrees and courses does not fall, ordinarily, within the ken of the Court.

5. The other argument advanced is that, since the petitioners have Statistics, as one of the papers(s) at graduation and/or post-graduation level, this aspect ought to have been taken into account, while considering whether or not the petitioners fulfilled the essential qualification criteria.

5.1. Since the petitioners did not possess the requisite post-graduation degree, merely because they may had Statistics as a paper at the graduation

and/or post-graduation level, in our view, would not suffice.

6. The writ petition is, accordingly, dismissed. Consequently, pending application shall also stand closed.

RAJIV SHAKDHER, J.

TALWANT SINGH, J.

SEPTEMBER 27, 2021 / tr

Click here to check corrigendum, if any

