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

CWP No.11867 of 2017

DATE OF DECISION : 11.11.2022

Mohd. Arif and others

...Petitioners

versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mohd. Arshad, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Ms. Shalini Atri, Advocate,
For respondents No.6, 7, 10 and 11.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of writ in the nature of certiorari seeking to quash the final result declared on the website, whereby petitioners were declared unsuccessful for the posts of Ayush Medical Officers of National Mission Management Unit, Rashtriya Kishor Swasthya Karyakram and Rashtriya Bal Swasthya Karyakram.

2. The grounds of challenge *qua* the private respondents by the petitioners herein is substantially based on an averment that the private respondents are not residents of Mewat where Ayush Medical Officers are to be posted after selection. It is pleaded and so as it has been argued by learned counsel for the petitioners that on the same pattern, the petitioners

are entitled to additional weightage in the interview marks which benefit has not been accorded to them.

3. For better appreciation of controversy at hand, the criteria for selection which has been appended at Annexure P-4 is reproduced herein below:

05. Thereafter, following selection criteria for recruitment of staff on contractual basis under NRHM should be adopted with immediate effect :-

	<i>Weight</i>	<i>Marking pattern</i>
1. <i>Basic qualification</i>	<i>25</i>	<i><u>25x percentage</u></i> <i>100</i>
2. <i>Additional qualification such as higher degree in same discipline or Public health or Management degree.</i>	<i>05</i>	<i><u>05x Percentage</u></i> <i>100</i>
3. <i>Relevant Post qualification Experience (Government/Semi Government only)</i>	<i>07</i>	<i>01 marks for each completed year</i>
4. <i>NRHM experience</i>	<i>03</i>	<i>01 mark for each completed year</i>
5. <i>Proficiency tests such as tally for accounts personals/relevant tests for other staff (not required for Doctor & Class IV employee)</i>	<i>15</i>	
6. <i>Computer skill tests (it should be compulsory for all staff since computer knowledge is must)</i>	<i>10</i>	
7. <i>Local area weightage</i>	<i>20</i>	<i>Residence in PHC area-20</i> <i>Residence in CHC area-15</i> <i>Residence in District-10</i> <i>Out of District- 0</i>
8. <i>Interview</i>	<i>15</i>	
<i>Total</i>	<i>100</i>	

4. Perusal of Clause 7 and 8 herein above clearly reflects that a total of 20 marks have been assigned for local area weightage of which a candidate being a resident of Primary Health Centre area is entitled to 20/20 while the one belonging to Community Health Centre area would get 15 marks. Likewise, the one being resident of District where the recruitment is to be made would be entitled to 10 marks, while those out of district will get zero. The next criteria of interview does not have the said split-up. It needs no gain saying that marks are given purely on the basis of performance and not on the basis of belonging to particular area. Therefore, the claim for additional marks of interview on which the entire reliance is placed by the petitioners is misplaced and based on wrong interpretation of the selection criteria.

5. In the premise, no ground for interference by this Court is made out.

6. Dismissed.

NOVEMBER 11, 2022
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

