

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

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CWP-16882-2015

Date of decision : 29.04.2022.

Harmanpal Singh

... Petitioner

Versus

The Commissioner, Municipal Corporation, Moga and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Tajinder Pal Singh Makkar, Advocate for the petitioner.

Mr. Joginder Sharma, Advocate for respondents No.1 to 4.

Mr. Gagneshwar Walia, Advocate for respondents No.5 to 14.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the selection and appointment of the private respondents on the posts of Fireman against an advertisement issued by the respondents on 31.10.2014 (Annexure P-1).

Learned counsel for the petitioner contends that the petitioner, who has obtained qualification of 10+2 and BBA, had been given 6 ½ out of 30 marks in the interview while the private respondents, who had lesser qualifications than the petitioner, had been awarded more marks in the interview which led to their selection. He also contends that the entire process of physical test had not been properly videographed.

Learned counsel for respondents No.1 to 4, however, submits that the appointment to the post of Fireman is on contract basis and on 31.03.2015, the appointment letters were issued. Thereafter, the petitioner had preferred the present writ petition after six months from joining of the

private respondents on 11.08.2015. The petitioner had been interviewed along with other candidates but he was awarded less marks on the basis of his performance in the interview.

Heard.

The primary basis of challenge to the selection of the private respondents is that the petitioner was more qualified than the private respondents but he has been awarded lesser marks. The appointment is for the post of Fireman for which the essential qualification was matriculation and the candidates had to meet stringent physical conditions. The petitioner may be more qualified having qualification of 10+2 and BBA but the selection is for the post of Fireman wherein the essential qualification is matriculation. It is not necessary that a candidate, who has obtained a higher qualification than the minimum qualification would be awarded more marks in the interview. The suitability of a candidate for a particular post has to be assessed at the time of interview. From the perusal of the material on record, I do not find any infirmity in the selection process. Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

April 29, 2022
sonia gugnani

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