

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(226)

CWP No. 3229 of 2019

Date of Decision : 11.12.2023

Rajiv Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parminder Singh, Advocate for the petitioner.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

Mr. Arvind Seth, Advocate for respondent No. 2.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance of the petitioner is that in the selection process, which has been undertaken by the respondents in pursuance to the Advertisement-Annexure P-2, which was issued for the post of State Programme Manager (Training and Capacity Building) for which one post was reserved and no one has been found suitable for the said post.

2. Learned counsel for the petitioner argues that the petitioner is suitable in all respects, hence he should have been selected and appointed on the post advertised.

3. The respondents have submitted that after the interviews were held, the interview committee, which was headed by the Additional

Chief Secretary, Department of Rural and Development, Government of Haryana, found that none of the candidates were upto the marks so as to get selected, hence, no one has been selected out of the candidates, who had applied and competed for the post in question, therefore, no one has been appointed, which action of the department is perfectly well within their jurisdiction.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Selecting a candidate is essentially the job of the experts. Not only this, the employer has a full jurisdiction to decide as to which candidate, is suitable for performing the duties of the job in question. The Court will not have any jurisdiction to interfere with the said right of an employer to select a candidate, which according to the employer is best suited for the job. Once, it has already come on record that the interview committee after interviewing the candidates, who had applied for the post in question found none of the candidate as suitable, this Court will not interfere with the said decision. Otherwise also, the Court is not competent to sit as an appellate authority over and above the decision of the interview committee, which consists of expert member.

6. No ground is made out for any interference by this Court in the present petition.

7. Dismissed.

December 11th, 2023

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No