

123

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-19121-2023

Date of Decision: 31.08.2023

Mohit Kumar and another

. . . . Petitioners

Vs.

State of Punjab and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. H.C. Arora, Advocate
 for the petitioners.

Mr. Paramjit Batta, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner by way of this writ petition has challenged corrigendum issued by the State authorities vide annexure P-2 dated 29.06.2022 whereby the Subordinate Services Selection Board, Punjab has deleted the condition of minimum 40% for qualifying the written examination for recruitment to the post of school librarian.
2. The petitioners submit that such a decision will affect the efficiency of administration and would also affect the spirit of Article 335 of the Constitution of India, as not only the Scheduled Castes/Scheduled Tribes candidates, but candidates belonging to all the reserved category obtaining 1% marks in the written examination would be entitled to be appointed as school librarian in case the number comes within the advertised vacancies.

3. It is therefore prayed that the appointments ought not be made for the post of school librarian and those candidates who score less than 40% marks in the written examination ought not be offered appointment.
4. This Court finds the writ petition to be wholly frivolous.
5. No right of the petitioners has been taken away. The petitioners cannot be allowed to direct the authorities as to what criteria should be adopted for making selections. The addition or deletion of any condition of eligibility is in exclusive domain of the concerned employment authority. It is for them to decide as to what kind of candidates they would like to select. The Court would not embark upon a judicial review with regard to such administrative decisions.
6. The Writ Petition being wholly frivolous deserves to be dismissed and is accordingly *dismissed* with costs of Rs.10,000/- to be deposited with the Punjab & Haryana High Court Legal Services Committee, recoverable as DDR, if not deposited.

(SANJEEV PRAKASH SHARMA)
JUDGE

August 31, 2023

Mohit goyal

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No