

candidates were to be evaluated out of the total 100 marks and it was further mentioned that in case, there are more than 15 candidates eligible for the post in question, the shortlisting of the candidates will be done by holding a written test of 50 marks so as to call the shortlisted candidates for interview. In the present case, the candidates who competed for the post in question were more than 15 and a shortlisting written examination was conducted after which 12 candidates were called for interview but the Experts, who conducted the interview, were of unanimous opinion that none of the 12 candidates had an adequate knowledge for the Human Resource Management and does not have relevant experience hence, recommendations were made to re-advertise the post so as to have a better pool of candidates to be selected from call, the further process of selection came to an end after the competent authority accepted the recommendations of the Expert Committee hence, the petitioner cannot make any claim only on the basis that in a shortlisting written examination wherein the petitioner had secured maximum marks.

With regard to the other assertions of the petitioner that selection of respondent No.3 is bad, it has been mentioned that he has not been promoted or appointed and as he was already working as an Assistant, his designation has been changed from “*Assistant*” to “*Assistant H.R.*”.

I have heard the petitioner, who appears in person and learned counsel appearing on behalf of the private respondents and have gone through the records of the present case with their able assistance.

Once, the Expert Committee considered the claim of 12 candidates who were found eligible to be called for interview for the post of

Monitor (Human Resource) to be filled on contractual basis and made recommendations that none of the 12 candidates were found to be suitable, the petitioner cannot raise a claim that the respondents were under an obligation to appoint the candidates out of the 12 candidates who appeared for interview.

The argument of the petitioner is that he had secured 1st position in the merit list based on the shortlisting written examination hence, he should be treated eligible and suitable for the post in question.

Merely, clearing a shortlisting written examination does not entitle selection or a consequent appointment. The interview which is an integral part to ensure the suitability of a candidate based upon knowledge of academics. The Selection Committee which consisted of Experts, recommended that none of the 12 candidates who were called for interview were having adequate knowledge about the job profile to be performed and recommended that the post be re-advertised.

Once, the competent authority accepted the recommendation of the Experts, the petitioner does not have any right to claim appointment merely on clearing the shortlisting written examination.

With regard to respondent No.3 being appointed by a backdoor entry, the respondents are on record to say that the respondent No.3 was never promoted or appointed. As per the respondents, the respondent No.3 was already working as “Assistant” and only his designation has been changed from “Assistant” to “Assistant H.R.”.

Keeping in view the fact once the respondent No.5 was already working and no promotions or appointment has been given to a post, which

is being claimed by the petitioner, no ground is made out for any interference by this Court.

Hence, the present petition stands dismissed.

Pending application, if any, also stands disposed of.

20-11-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
 Whether reportable: YES/NO