



CWP-10209-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

247

CWP-10209-2023
Date of Decision: 13.08.2024

Sunita

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Manvinder Sidhu, Advocate for the petitioner

Mr. Tapan Kumar, DAG, Haryana

Ms. Prabhjot Kaur, Advocate, for
Mr. Bikramjeet Singh Jatana, Advocate,
for respondent No.6

AMAN CHAUDHARY, J. (Oral)

1. The prayer in the present petition is for quashing the appointment of respondent No.6 and passing a further direction for selection of the petitioner.
2. Challenge has been made by the petitioner on the ground that the actual merit of the candidates, being 53% scored by her in matriculation, whereas 50% by respondent No.6, have been completely ignored, which has been contested by learned counsel for opposite party by making a reference to para No.6 of the written statement, showing the parameters being rightly followed as per Instructions dated 12.06.2008, since during the evaluation, by granting 45 marks to both for falling between mandate of securing 45-60% in class 10th.
3. As regards the assessment made during the interview, which has made the difference of 1 mark in the total merit, causing the score of the petitioner



to be 58, whilst that of private respondent 59, it would be worthwhile to refer to **Lalit Kumar vs. State of Punjab**¹, wherein it was held that a writ Court cannot sit as one of appeal and try to re-assess the relative merit of the candidates assessed at the oral interview by the Selection Committee, which is determined based on their overall performance.

4. It is trite that a candidate without any demer having rubbed shoulders with others in a selection, however, on the result not being palatable to him, cannot challenge the same by alleging that there was some flaw in the process or unfairness in the interview.

5. It is on the subjective satisfaction of the Committee that it grants marks in the interview, which is based on how well one had fared in the said process. The marks assigned for interview in the criteria prescribed have not been shown to be beyond the permissible percentage. Merely asserting that had the petitioner been awarded 1 more mark, she would have been selected, is neither here nor there. No selection process would culminate, if unsuccessful candidates, who fetched lower marks in the interview, were to raise such an argument.

6. No other point was urged on behalf of the petitioner.

7. In view of the above, the present petition being bereft of merits is dismissed.

(AMAN CHAUDHARY)
JUDGE

August 13, 2024
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Whether speaking : Yes/No

Whether reportable : Yes/No