



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

Date of Decision : 28-08-2024

VERSUS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Mr. Sanjeev Sharma, Advocate
for respondent No.4.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the challenge is to the selection for the post of Pujari as Advertised by the Deputy Commissioner, Sangrur vide Annexure P-1.

Learned counsel for the petitioner argues that the petitioner competed for the post of Pujari but, he has not been selected whereas, the private respondent has been given more marks in the interview on the basis of the experience certificate so as to selection him and oust the petitioner from the zone of consideration.

Further, prayer of the petitioner is that as the claim of the petitioner has not been evaluated in accordance with the law keeping in view the criteria fixed, the selection of the private respondent is liable to be set aside.

Learned counsel for the petitioner argues that the petitioner has a post graduation qualification, for which he has not been granted any marks due to which, the private respondent has been selected so as to oust the petitioner.

Upon notice of motion, the respondents have filed the reply wherein, it has been stated that the claim of all the eligible candidates have been considered on the basis of the criteria which has been made applicable uniformly on all the candidates competing for the post in question including the petitioner.

Learned counsel for the respondents submit that the evaluation has been done in a transparent manner keeping in view the qualification possessed by the candidates in question and the marks given to them in the interview by a duly constituted Selection Committee comprising of the experts and as the petitioner has got lesser marks than the private respondent therefore he could not be selected against the two advertised post of Pujari.

Learned counsel for the respondents submit that the petitioner does not have a post graduate qualification and the certificate Annexure P-13, which is being referred as Post Graduate qualification, is not equivalent to the post-graduate qualification.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

In the present petition, for appointment to the post of Pujari as advertised by the respondent, a uniform criteria has been made applicable upon all the candidates competing. The petitioner and the private candidates have been evaluated on the basis of the same criteria and as the private respondents have secured more marks than the petitioner, they have been selected.

Qua, the question that the petitioner is more qualified than the respondents and that he has not been given marks for having post-graduation qualification, it may be noticed that the post-graduation qualification which is being relied upon Annexure P-13, has already been refused to be recognised as equivalent to a post-graduate qualification by the same institute from where the petitioner got the said qualification. Once, the certificate issuing of institute Annexure P-13, which bestows on him the qualification of '*Jyotish Acharaya*', confirms that it is not equivalent to post-graduate qualification, which statement of the said institution goes un rebutted even at the hands of the petitioner, the petitioner has been given marks as per the criteria prescribed.

The last argument which has been raised by the learned counsel for the petitioner is that the private respondents have been given more marks in the interview as compared to the petitioner. It may be noticed that no allegation of malafide has been alleged by the petitioner and no member of selected committee has been impleaded so as to make allegation that the private respondents have been wrongly favoured over and above the petitioner in the interview. That being so, as per the opinion of the Selection Committee, which comprises of experts, the private respondents did a better

job in the viva voce, this Court will not sit in appeal over the decision of the experts to form the Selection Committee so as to accept the argument of the petitioner.

No other argument is raised.

Keeping in view of above, no other ground is made out for interference by this Court in the present writ petition.

Hence, the present petition is dismissed.

Pending application, if any, also stands disposed off.

28-08-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

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