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

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**CWP-20140-2015 (O&M)
Date of Decision :20.08.2024**

Karanbeer Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

Mr. Vipin Kumar Sharma, Advocate for respondent No.4.

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Harsimran Singh Sethi, J. (Oral)

In the present petition, prayer of the petitioner is for setting aside the selection and appointment of private respondents No.3 and 4 to the post of driver as advertised by the respondents.

As per the averments made in the present petition, the posts of drivers were advertised by the respondents in the year 2013. As per the essential qualification for the post of drivers, a candidate should be middle standard pass and should have a driving licence of driving light motor vehicle. The petitioner applied for the post of driver and competed in the selection process and was also called for interview on 22.01.2014.

After the selection process was over, the respondents issued a select list wherein, the petitioner could not get selected against the

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advertised post whereas, the private respondent were selected.

The claim of the petitioner is that the petitioner has wrongly been ousted from the zone of consideration and the private respondents have wrongly been selected.

After notice of motion, the respondents have filed reply wherein, it has been stated that the claim of the petitioner was considered in accordance with the criteria laid down and the petitioner has only been given 4.66 marks in the interview whereas, the respondents No.3 and 4 have been granted higher marks (i.e. 07 marks and 7.33 marks respectively) and hence, keeping in view the selection process, respondent No.3 has been selected for the post in question in preference to the petitioner and the petitioner, who had lesser marks could not be selected against the post advertised.

Learned counsel for the petitioner argues that the certificate qua middle passed qualification submitted by the respondent No.3 needs due verification.

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

Keeping in view the criteria framed by the respondents for the post in question, the selection process was conducted. The petitioner competed but could not get selected. The respondents in their reply have mentioned as to how the selection committee has given marks to the petitioner. From the said data, it can be safely held that as per the selection committee which consisted of experts, respondents No.3 and 4 were better suited candidate as compared to the petitioner.

Further, the petitioner cannot claim that this Court should

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evaluate between him and selected private respondents again as the same is the job of the experts and the experts after the interview, granted the marks to the candidates concerned wherein, the petitioner has been placed below the private respondents hence, this Court cannot sit in appeal to adjudicate over the selection made by the experts and that too in the absence of any malafide alleged.

With regard to the argument of the learned counsel for the petitioner qua the middle standard certificate submitted by the respondent No.3, it has already come on record that middle standard certificate submitted by the respondent No.3 has been taken into consideration by the respondents and once, the respondents, which is an employer has stated that the said certificate submitted by the respondent No.3 is a valid certificate, petitioner is no one to raise objection qua the same.

No other argument has been raised.

Keeping in view the facts and circumstances recorded hereibefore, present petition is dismissed.

Civil miscellaneous application pending, if any, is also disposed of.

August 20, 2024

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No