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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 8334/2017**

ZAKIR HUSSAIN

.....Petitioner

Through: Mr. Swastik Singh, Mr. Himanshu
Dagar and Mr. Shreshtah Raj
Shrivastava, Advocates.

versus

**THE CHAIRMAN, QAUMI SR SEC
SCHOOL, DELHI AND ORS.**

.....Respondents

Through: Mr. Diwan Singh Chauhan,
Advocate for R-1 and 2.
Mr. Gaurav Dhingra, Mr.
Shashank Singh, Advocates for R-
3.
Mr. Paritosh Budhiraja, Ms. Larika
K., Advocates for R-4.

**CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN**

ORDER
02.04.2025

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1. By way of this writ petition under Article 226 of the Constitution, the petitioner challenges the appointment of respondent No. 4 to the post of “*Librarian*” in the respondent No. 1 – Qaumi Sr. Sec. School, which is an aided school.
2. The School advertised various posts for direct recruitment on 12.09.2016. One of the posts was of Librarian, for which the educational qualifications were as follows:



“(i) Degree from a recognized University or equivalent.

(ii) Bachelor's Degree or equivalent diploma in Library Science from a recognized University/institution or equivalent.

(ill) Experience of 2 years in a Library/Computerisation of a Library or 1 year certificate in Computer Application from a recognized institution”

3. The petitioner participated in the selection process, including at the stage of interview, but was not selected.

4. The candidates were assessed in accordance with a marking scheme, which was notified by an order of the Directorate of Education [“DoE”] dated 26.02.2014. The marking scheme applied to all aided schools, and has been placed on record by the DoE. As far as the post of Librarian is concerned, the marking scheme provided as follows:

Sr. Secondary	Graduate B.A/B.Com./B.Sc	B.Lib	Addl. Qualification M.Lib only	Experience (As Librarian only)	Total	Interview	Total
15	30	30	10	10	95	5	100

5. The petitioner has placed on record a score sheet, in which the marks obtained by each candidate under each of the aforesaid criteria has been stated. The entire score sheet is reproduced below:



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Sl. No.	Name of the Candidate	Roll No.	Mathematics	Science	English	History	Geography	Physical Education	Art	Music	Health & Physical Education	Total Marks
1	ADARSH KUMAR	12/001/1948	10	10	10	10	10	10	10	10	10	100
2	ADARSH KUMAR	12/001/1949	10	10	10	10	10	10	10	10	10	100
3	ADARSH KUMAR	12/001/1950	10	10	10	10	10	10	10	10	10	100
4	ADARSH KUMAR	12/001/1951	10	10	10	10	10	10	10	10	10	100
5	ADARSH KUMAR	12/001/1952	10	10	10	10	10	10	10	10	10	100
6	ADARSH KUMAR	12/001/1953	10	10	10	10	10	10	10	10	10	100
7	ADARSH KUMAR	12/001/1954	10	10	10	10	10	10	10	10	10	100
8	ADARSH KUMAR	12/001/1955	10	10	10	10	10	10	10	10	10	100
9	ADARSH KUMAR	12/001/1956	10	10	10	10	10	10	10	10	10	100
10	ADARSH KUMAR	12/001/1957	10	10	10	10	10	10	10	10	10	100

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6. It is evident from the above that petitioner was ranked 6th with a total score of 40.0, whereas respondent No. 4 was ranked 1st with a total score of 49.4.

7. Learned counsel for the petitioner contends that the petitioner should have been awarded 10 marks for experience, which would have taken his score up to 50, and he would have been placed in the 1st position. In support of this contention, learned counsel for the petitioner draws my attention to an experience certificate issued by the National Council of Educational Research and Training ["NCERT"] dated



10.05.2015. It reads as follows:

“This is to certify that Mr. Zakir Hussam S/o Mr.. Amiruddin was engaged as a Sr. Library Attendant (Contractual) in LDD, NCERT from 02-07-2013 to 30/04/2015.

During his tenure, he was found to be very sincere, obedient and hard working employee and bears a good moral character.

I wish his success in life.”

8. Having heard learned counsel for the parties, I am of the view that the petitioner’s claims for grant of an additional marks 10 marks on this account is unmerited. It is clear from the experience certificate that he was engaged in NCERT as a Senior Library Attendant (Contractual). The DoE’s notification dated 26.02.2014, however, permitted consideration only of experience as “*Librarian*” for the grant of additional 10 marks.

9. It is also pointed out by learned counsel for the respondents that the notification dated 26.02.2014, provides that no advantage of experience would be given to *ad-hoc* or contractual teachers, and that even the petitioner’s experience as a Senior Library Attendant was admittedly contractual in nature. Learned counsel for the petitioner submits that this applies only to “teachers”. As I am of the view that the experience of the petitioner, in any event, did not qualify for the grant of additional marks, as he did not have experience as a “*Librarian*”, but only as a Senior Library Attendant, it is unnecessary to decide this issue.

10. Learned counsel for the petitioner raises a further objection, that respondent No. 4 has been awarded 6.5 marks for the additional qualification of Masters degree (M.Lib), whereas no such provision was made in the advertisement. As far as this aspect is concerned, I am of the view that no adjudication is required at the instance of the petitioner, as he, in any event, would not have been appointed, as there were four other



candidates between the respondent No. 4 and the petitioner in the merit list.

11. For the aforesaid reasons, the writ petition is unmerited, and is dismissed.

PRATEEK JALAN, J

APRIL 2, 2025

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