

(2011) 02 SHI CK 0117
In the High Court Of Himachal Pradesh
Case No : CWP No. 2069 of 2010

Gita Ram

APPELLANT

Vs

State of Himachal Pradesh and Others

RESPONDENT

Date of Decision : 23-02-2011

Acts Referred:

Citation : (2011) 02 SHI CK 0117

Hon'ble Judges : Rajiv Sharma, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajiv Sharma, J.—Material facts necessary for the adjudication of this petition are that Petitioner has assailed the appointment of Respondent No. 4 to the post of Para-Accountant in Gram Panchayat Bagalti, Tehsil Rampur, District Shimla. Case of the Petitioner, in a nutshell, is that he alongwith Respondent No. 4 was interviewed on 18.2.2010 for the post of Para-Accountant. Respondent No. 4 was recommended by the Selection Committee for the post of Para-Accountant.

2. Mr. Ramakant Sharma has strenuously argued that his client was more meritorious vis-?-vis Respondent No. 4. He then contended that the Selection Committee has over looked the qualification acquired by the Petitioner from I.T.I. in the trade of Computer Operator and Programming Assistant, as per Annexure P-3.

3. Mr. Ansul Bansal, learned Additional Advocate General and Mr. Ajay Chandel have vehemently argued that Respondent No. 4 was found more meritorious by the Selection Committee in the interview held on 18.2.2010. They also contended that the Petitioner could not answer the questions given in Annexure R-2.

4. I have heard the learned Counsel for the parties and have perused the pleadings carefully.

5. Suitability of the Petitioner and Respondent No. 4 has been gone into by a duly constituted Selection Committee comprising of Divisional Watershed Development Officer, as Chairman, Block Development Officer, as Co-Chairman and Watershed Development Coordinator, as the Member. Selection criteria has been laid down in the guidelines framed by the World Bank in Report No. 33434 in Clause 1.7, according to Annexure R-1. The interview was conducted by the Selection Committee and the candidates were assessed for, as per the marks fixed for each item, i.e. personality 5 marks, oral interview 10 marks, educational qualification 10 marks, higher qualification, B.A. 3 marks, M.A. 2 marks, experience in accountancy 5 marks and working knowledge of computer 5 marks.

6. Mr. Ramakant Sharma has strenuously argued that his client was entitled to get 5 marks to the working knowledge of computer. He has heavily relied upon Annexure P-3 to substantiate his submission. According to Mr. Ansul Bansal and Mr. Ajay Chandel, Petitioner could not answer the simple questions, as given in Annexure R-2.

7. It was for the Selection Committee to adjudge the suitability of the Petitioner vis-?-vis other candidates. Petitioner has not alleged any mala fides against the Selection Committee. Rather, the Selection Committee has not been added, as party-Respondent. Petitioner has secured 15.20 marks and Respondent has secured 18.68 marks. Recommendations have already been made by the Selection Committee for the deployment of Respondent No. 4, as Para-Accountant. Petitioner has not placed on record the appointment letter of Respondent No. 4. There is no arbitrariness in the selection procedure adopted by the Selection Committee. This Court will not sit in appeal over the recommendations made by the duly constituted Selection Committee.

8. Accordingly, in view of the observations and discussions made hereinabove, there is no merit in the petition and the same is dismissed. No costs.