
(2011) 12 SHI CK 0358
In the High Court Of Himachal Pradesh
Case No : CWP (T) 8816 of 2008

Smt. Rattani Devi

APPELLANT

Vs

State of H.P. and Smt. Bimla Devi

RESPONDENT

Date of Decision : 08-12-2011

Acts Referred:

Citation : (2011) 12 SHI CK 0358

Hon'ble Judges : Surjit Singh, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Surjit Singh, Judge

1. Petitioner, who along with respondent No. 3, was a candidate for the post of Part Time Water Carrier, in Primary School, Dharet, Tehsil Bangana, Distt. Una, has filed the present petition, challenging the selection and appointment of respondent Whether reporters of the local papers may be allowed to see the judgment? No. 3 against the said post, on the grounds that committee for selection had not been properly constituted, respondent No. 3 was overage and she had been wrongly awarded 10 marks for the distance, as according to the petitioner, her residence is at a distance of more than 1.5 km. from the school and hence no marks could have been awarded to her on this score.

2. Respondents 1 and 2 have filed reply in which all the contentions, raised by the petitioner, have been denied. Respondent No. 3 has filed separate reply. She too controverts the aforesaid contentions of the petitioner.

3. I have heard learned counsel for the parties and gone through the record.

4. Petitioner has not explained as to what impropriety was committed in the constitution of the selection committee. Respondents 1 and 2 have, very categorically, stated in their reply that selection committee consisted of the Sub Divisional Officer (Civil), Pradhan of the Gram Panchayat, Block Primary

Education Officer and the Head Teacher of the school concerned. As per Scheme, Annexure A-5, relied upon by the petitioner herself, only above said four persons were required to form the selection committee. Hence, first contention is rejected.

5. Next contention is that respondent No. 3 was more than 45 years of age, which is the maximum age limit, prescribed for the post. Respondents have placed on record copy of an entry from the Parivar Register, Annexure R-3/3, per which her year of birth is 1965. Selection was made in the year 2002. That means, respondent No. 3 was less than 45 years of age, at the relevant time.

6. Third and the last contention is that the distance, between the school and the residence of respondent No. 3, is more than 1.5 km. and hence, she could not have been awarded any marks on this score, but she had been awarded maximum marks. There is nothing showing that the distance, between the school and the house of respondent No. 3, is more than 1.5 km.

7. In view of the above stated position, present petition is dismissed.