

(2014) 09 KAR CK 0134

In the Karnataka High Court

Case No : Writ Petition No. 103434/2013 (S-RES)

Venkatesh R.N.

APPELLANT

Vs

The Government of Karnataka

RESPONDENT

Date of Decision : 17-09-2014

Acts Referred:

Citation : (2014) 09 KAR CK 0134

Hon'ble Judges : S.N. Satyanarayana, J

Bench : Single Bench

Advocate : A.M. Nagaral, Advocate for the Appellant; Manvendra Reddy, GA, Ameet Kumar Deshpande and Ravi B. Patil, Advocate for the Respondent

Final Decision : Dismissed

Judgement

S.N. Satyanarayana, J.—Petitioner herein is challenging the order of appointment dated 30.1.2013 in appointing the third respondent as electrical wireman in second respondent University.

2. The case of petitioner is that he has qualification of Pre University. In addition to that, he has certificate in completing diploma in JOC-electrical wireman. It is his grievance that though he has higher qualification than the third respondent, who has completed only SSLC, the third respondent is selected for the post of electrical wireman in the second respondent University, thereby there is an error in selecting the third respondent in preference to petitioner who has higher qualification than the third respondent.

3. After service of notice, respondents entered appearance. Respondent No. 3 has filed statement of objections. The statement of objections would reflect the norms that are set-down to calculate the marks, which is to be awarded to each of the candidates in the interview and the manner in which it is required to be calculated. In addition to that, the score card of all the candidates is also produced. On going through the same, it is seen that the petitioner, who has completed Pre University is awarded 15 marks for his qualification as against the

third respondent, who has completed SSLC and is awarded 10 marks. In addition to that marks are also allotted on the basis of their experience and also their performance in skilled test. In the skilled test, it is seen that petitioner herein has secured 20 marks as against 32 marks secured by third respondent. So far as personality test is concerned, though petitioner and third respondent are awarded 3 marks each, however, when it comes to interview, third respondent is awarded 4 marks as against 3 marks awarded to the petitioner. If all these marks are taken into consideration, the total marks that is secured by third respondent in the interview being 50.06 as against 41.47 to the petitioner, it is seen that the committee which was constituted to select the suitable candidate for the post of electrical wireman has chosen the third respondent as candidate having secured highest marks in the interview and has recommended his name, consequently the appointing authority has issued appointment order to 3rd respondent pursuant to the marks shown in the score card, which is produced by respondent No. 3.

4. On going through the procedure in which the marks are allotted to petitioner and third respondent and the way in which it is calculated, it is clearly seen that there is transparency in the manner in which interview is conducted and also in arriving at the total marks, which is awarded to the petitioner as well as third respondent. When admittedly the marks awarded to third respondent being higher than the marks which is awarded to petitioner, the decision of the committee in recommending the third respondent for appointment to the post of electrical wireman appears to be just and proper. In that view of the matter, no illegality or irregularity being found in the procedure adopted by second respondent in selecting third respondent to the post of electrical wireman, this writ petition filed by the petitioner challenging the same does not merit consideration. Hence, this writ petition is dismissed.