



CWP-6898-2022 (O&M) 1
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(250) CWP-6898-2022 (O&M)
Date of Decision : January 29, 2025

Ramesh Kumar .. Petitioner

Versus

The District and Session Judge, Kurukshetra and others
.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. A.K. Walia, Advocate, for the petitioner.

Mr. Ranjit Singh Kalra, Advocate and
Ms. Mona Yadav, Advocate, for respondents No. 1 and 2.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the challenge is to the selection undertaken by the Session Division, Kurukshetra for the post of Peon and Process Server as advertised on 06.09.2019 (Annexure P-4).
2. The grievance of the petitioner is that the selection was mala fide and that the selection criteria was not made available to the candidates before the selection process and the selection was made only on the basis of interview, which is arbitrary and illegal.
3. Keeping in view the service of advance copy of petition, respondents have appeared and stated that the selection has been made on the basis of the advertisement qua the candidates who fulfilled the eligibility to compete for the posts in question and the interviews were held and keeping in view the assessment of the candidates and their aptitude in the interview, the list of selected candidates was prepared and consequently the candidates have been selected, hence, no grievance can be made by the petitioner, who failed to get merit within the advertised posts.



CWP-6898-2022 (O&M)

2

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

5. Qua the first argument that the selection process was mala fide, the averment is vague. Further, the authority which has made the selection, has not been impleaded by name to contend that the selection was influenced. In the absence of any authority against whom the specific allegation has been alleged, the allegation that the selection was influenced or biased, cannot be accepted.

6. Further, nothing has come on record that any of the selected candidate is not eligible. Once all the candidates, who have been selected, are eligible, the claim of the petitioner that he has been ousted without any valid justification, cannot be accepted.

7. Further, the selection was being made to the post of Process Server and the Peon and the same has been made on the basis of interview. Once, a claim of all eligible candidates including the petitioner and their suitability qua the marks in the academic and aptitude during the interview has been considered and the said criteria has been made applicable uniformly upon all the competing candidates, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

8. Accordingly, the writ petition is dismissed.

9. Civil miscellaneous application pending if any, also stands disposed of.

January 29, 2025
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No