

Ashish Lodhi Vs. Commandant Head Quarters

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Court : Madhya Pradesh

Decided On : Jul-31-2012

Appellant : Ashish Lodhi

Respondent : Commandant Head Quarters

Advocate for Def. : Smt. Gaharwar

Advocate for Pet/Ap. : Shri. N.C.Beohar

Judgement :

W.P.No.21926/11 31/07/12 Shri N.C.Beohar, learned counsel for the petitioner.

Smt.

Gaharwar, learned counsel for the respondents.

Petitioner was a candidate who submitted an application for appointment on the post of 'L.D.C.' In pursuance to the advertisement Annexure P-1 issued, petitioner applied to participate in the process of selection in the category of handicapped person.

It seems that certain orders were passed, petitioner was permitted to participate in the process of selection and as he had not been selected, petitioner had filed this writ petition.

On notice being issued, respondents have filed the reply and it is pointed out by the respondents that petitioner having failed in the selection process, he could not be appointed.

Subsequently, this Court directed the respondents to produce the entire result with regard to the selection and the respondents have produced the result along with an affidavit filed on 16/05/12 Annexure R-1 to this additional reply is the evaluation sheet with regard to selection on the post of 'L.D.C.' It is seen from the document Annexure R-1 (i.e. the evaluation sheet) that the entire selection process was conducted in the presence of 5 senior officers which constituted the selection committee.

For the post of L.D.C.

10 candidates had appeared and the petitioner was declared failed in the selection process.

Petitioner received 14/90 marks in the written examination, 2/50 in the practical examination and 1/10 in the viva voce.

As a result, he had received total 17 marks out of 150 and having failed to qualify, he has not been selected.

Once, the marks obtained by the petitioner in the examination as is evident from the document Annexure R-1 shows that the petitioner had failed in the examination and in the absence of any material to show that the examination had been conducted in an illegal and arbitrary manner, further indulgence into the matter is not called for particularly when the petitioner had miserably failed in the qualifying examination.

Accordingly, in the light of the fact that the petitioner has not done well in the examination, no case is made out for interference into the matter.

However, if the petitioner had qualified as per the rules in any other examination, failure in the present examination shall not come in the way of the petitioner in participating in that selection process subject to being fit as per the rules.

With the aforesaid observations, this petition stands dismissed.

(Rajendra Menon) Judge Vy/-

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