

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
CWP No.7818 of 2013
Decided on 18th July 2026

Ravi Kumar

...Petitioner

Versus

State of Himachal Pradesh and others

...Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

¹Whether approved for reporting? Yes

For the petitioner: Mr. Arush Matlotia, Advocate.

**For the respondents: Mr. Pushpinder Jaswal, Additional
Advocate General, for respondents No.1
to 6.**

**Mr. Balbir Singh, Advocate, vice Mr.
Naresh Kaul, Advocate, for respondents
No.7 and 8.**

Ajay Mohan Goel, Judge (Oral)

By way of this petition, the petitioner has, *inter alia*,
prayed for the following reliefs:-

“a) That the entire record pertaining to the instant case may kindly be summoned and subjected to scrutiny by the Hon'ble Court.

b) That the present petition may very kindly be allowed with costs and this Hon'ble Court be pleased to issue a writ in the nature of certiorari, quashing the result of Jal Rakshak (Annexure P-8).

c) That the respondents (Interview Committee) be directed by a writ in the nature of mandamus to award the proper marks for education qualification and offer the post of Jal Rakshak to the petitioner with all the consequential benefits.”

2. The petitioner is seeking the quashing of the appointment of the private respondent against the post of Jal Rakshak.

3. Facts necessary for the adjudication of this petition are that in terms of a news item published in the local newspaper Danik Jagran on 03.07.2012, applications were invited to fill up the posts of Jal Rakshak. A copy of the news item is appended with the petition as Annexure P-1.

3. According to the petitioner, he applied for the said post along with other candidates. His grievance is that in terms of the result declared vide Annexure P-8, the private respondent had secured the maximum marks and has been offered appointment. On the other hand, the petitioner has been denied appointment on account of the non-grant of marks to him under the column of age. This is the only ground on which the appointment of the selected candidate has been assailed.

4. Having heard learned counsel for the parties and having carefully gone through the pleadings as well as documents appended with the petition and the reply, this Court

is of the considered view that there is no merit in the petition.

5. A perusal of the relevant policy, copy whereof is appended with the reply filed by the respondent-Department demonstrates that marks were to be allotted to the candidates depending upon their age in terms of the selection criteria. Different marks to be allotted under the age criteria mentioned in the selection criteria are quoted hereinbelow:-

Selection Criteria for Jal Rakshak in IPH Department:-

1.0 Physical fitness	Marks	Maxi Marks	Total Marks
1.1 Age		Max marks 15	
18-19	10		
20-22	11		
23-25	12		
26-36	15		
37 to 39	14		
40 to 42	13		
43 to 45	12		
45	9		

6. The petitioner, being 27 years old at the time when he applied for the post was entitled for 15 marks. It is not his case that the private respondent has been given more marks than what he was entitled to. His limited grievance is that the petitioner has not been given 15 marks to which he was entitled to under this category.

7. A perusal of Annexure P-8, which is the result card, demonstrates that the selected candidate, namely, Rajinder Kumar, obtained 91 marks in the interview. This Court again reiterates that there is no challenge by the petitioner to the grant of 91 marks to the selected candidate on the ground that he was not entitled for marks under any of the heads. The limited grievance of the petitioner is only that he has been denied marks under the category of age.

8. Now, as observed hereinabove, the selected candidate secured 91 marks. The petitioner has secured 61 marks. If 15 marks, which the petitioner has been denied under the heading of age, are granted to him, then this takes his total from 61 to 76, meaning thereby that the grand total of the

petitioner still remains much below the selected candidate who had secured 91 marks.

9. In light of this fact, as obviously the petitioner shall not be succeeding on merit and as this Court cannot set aside the appointment of the private respondent against the post, this petition is accordingly dismissed.

10. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

July 18, 2026
(*Vinod*)