



## **Central Administrative Tribunal Jammu Bench, Jammu**

T.A. No. 2694/2021  
(SWP No.1415/2013)

Monday, this the 12<sup>th</sup> day of July, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Mr. Daljeet Kumar, aged 34 years,  
s/o Girdhari Lal, r/o Gangote  
Paryote District, Doda (J&K)

..Applicant

(Mr. Rajat Sudan, Advocate for Mr. Anil Sethi, Advocate)

Versus

1. State of J & K through Commissioner Secretary to Govt. Department of Planning and Development, Civil Secretariat, Srinagar/Jammu
2. Director, Economics and Statistics J & K Srinagar
3. Chairman, J & K Services Selection Recruitment Board, Kashmir, Srinagar
4. Secretary, J & K Services Selection Recruitment Board, Kashmir, Srinagar
5. Administrative Officer, J & K Services Selection Recruitment Board, Kashmir, Srinagar
6. Supriya Arya d/o Narain Dass r/o H. No.448, Indira Colony Camp Road, Talab Tiloo, Jammu
7. Yashpaul Attri, s/o Mukhtar Chand r/o Village Chanmorian, Tehsil Hiranagar, District Kuthwa

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8. Shubham Chakharia Fathers name Ashok Raj r/o Deoli Tehsil Bishnah District Jammu

..Respondents

(Mr. Rajesh Thappa, Deputy Advocate General)

### **ORDER (ORAL)**

#### **Mr. Justice L. Narasimha Reddy:**

The respondents issued a notification dated 12.11.2010 inviting applications for selection to the post of Statistical Assistant (SA) in the Planning & Development Department (PDD). Almost all the posts were under scheduled caste category. The applicant, respondent No. 6 to 8 and several others applied. In the final selection list, the name of the applicant did not figure. He filed SWP No. 1415/2013 before the Hon'ble High Court of Jammu & Kashmir, challenging the selection and appointment of respondent Nos. 6 to 8 and for a *mandamus* to give weightage to Master of Computer Applications (MCA) Degree obtained by him from Punjab Technical University.

2. The applicant contends that the selection procedure comprised of awarding of marks to the Post Graduate Degree and addition of marks secured in interview, but in his case, no marks whatever were awarded for Degree and though he

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secured quite good marks in interview, i.e., 18, he was not selected.

3. The respondent Nos. 1 to 2 on the one hand and respondent Nos. 3 to 5 on the other, filed detailed separate counter affidavits. It is stated that the applicant studied MCA course through correspondence mode and the same is not treated as valid for selection. They contend that the aggregate of the marks secured by the applicant were 18, whereas the marks secured by the last candidate in the scheduled caste category are 66.68.

4. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as T.A. No. 2694/2021.

5. Today, we heard Mr. Rajat Sudan, learned counsel *vice* Mr. Anil Sethi, learned counsel for applicant and Mr. Rajesh Thappa, Deputy Advocate General.

6. The selection is for the post of SA. The qualifications for the post are mentioned in detail. The respondents have stated that the MCA, Degree obtained by the applicant is through distance mode. In the advertisement, the respondents have

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stated that Degrees obtained through distance mode would be recognized, if only they are from IGNOU or DOEEAC and as regards other Universities, it would not be considered unless they are recognized by University of Kashmir and University of Jammu & Board of Technical Education. It is not the case of the applicant that he obtained a Degree from IGNOU or DOEACC; or that it was recognized by the Universities of Kashmir, or Jammu or the State Board of Technical Education. Obviously for that reason, the Jammu & Kashmir Services Selection Recruitment Board, Srinagar did not award any marks to the Degree obtained by the applicant. No exception can be taken to that.

7. We do not find any merit in the T.A. It is accordingly dismissed. There shall be no order as to costs.

**( Mohd. Jamshed )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**July 12, 2021**  
/sunil/ankit/