IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2457 of 1983

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements?

2. To be referred to the Reporter or not?

3. Whether Their Lordships wish to see the fair copy of the judgement?

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

---

N.P. LAVINGIA

Versus

AHMEDABAD MUNICIPAL CORPORATION & ORS.

---

Appearance:

MR RN SHAH for Petitioner

None present for Respondent No.1 to 6

MR SM MAZGAONKER for Respondent No.5

---

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 31/08/96

ORAL JUDGMENT

The petitioner and the respondent No.6 were the candidates for selection for the post of Assistant Professor of Orthopaedic Surgery. In the selection, the respondent No.6 was selected and the petitioner was not selected. By this petition, the petitioner is questioning the selection of respondent No.6 for the aforesaid post and the only contention raised by learned

counsel for the petitioner is that the Selection Committee was not properly constituted. The only illegality which is pointed out by the learned counsel for the petitioner is that in the Selection Committee, any expert was not there.

2. The learned counsel for the petitioner is unable to point out any statutory provision or any Resolution of the Corporation where it has been laid down that the Selection Committee should be consisted of an expert person. In the absence of such statutory provision, it is difficult to accept that the Selection Committee was illegally constituted. The petitioner has only right for consideration which has not been denied. None of the legal and fundamental rights of the petitioner have been infringed.

3. In the result, this Special Civil Application fails and the same is dismissed. Rule is discharged. No order as to costs.

.....

(sunil)