

JUDGMENT SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

W.P No. 704/2020

Adnan Munir

Versus

Ministry of Science and Technology through its Secretary,
Islamabad and others.

Petitioner by: In person.

Respondent No.1 by Raja Muhammad Aftab Ahmed,
AAG.

Respondents No.2 to 4 by Mr. Armaghan Saqib Khan,
Advocate.

Date of Decision: 07.09.2020.

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MOHSIN AKHTAR KAYANI J. Through this writ petition, the petitioner has assailed the recruitment process for the post of Assistant Registrar PEC-17 in Pakistan Engineering Council and prayed for issuance of direction for his appointment on merit on the said post after examining the record objectively under prescribed criteria of the recruitment of the said post.

2. The laconic facts of instant case as referred in the petition are that on 20.09.2018, Pakistan Engineering Council, Islamabad/respondent No.3 has advertised 50 posts of Assistant Registrar PEC-17, whereupon, the petitioner alongwith other persons have applied for the said posts. The present petitioner qualified the written test and was subsequently interviewed by the selection penal, however, he was not appointed, resultantly the instant writ petition has been filed while assailing the recruitment process with the contention that some of the appointees were lower to him on merit.

3. Today i.e. 07.09.2020, petitioner in person contends that his counsel is not available being indisposed, therefore, he be allowed to argue his case, hence his request has been considered and he is allowed to argue his own case. He further contends that he has shown his extraordinary performance in the written test as well as in the interview, but he has not been given proper marks by the selection committee of the Pakistan Engineering Council and he has been deprived of his appointment for the post of Assistant Registrar PEC-17.

4. Conversely, learned counsel for the respondents has placed entire record before this Court and taken a stance that the petitioner has admittedly passed the written examination for the post of Assistant Registrar PEC-17 and has also been interviewed by the selection penal, whereby out of total vacancies, 50% quota was reserved for Punjab Province and 22 candidates have been selected against the Post of Assistant Registrar PEC-17 from Punjab Province, however, after the complete evaluation, petitioner acquired 41st position on merit list from Punjab Province, thus, the petitioner was not selected against the post of Assistant Registrar PEC-17 as the last person, who was selected on merit holds more than petitioner's marks, therefore, the case of the petitioner is not justiciable.

5. Arguments heard and record perused.

6. Perusal of record reveals that Pakistan Engineering Council has invited the applications for recruitment against 50 posts of Assistant Registrar PEC-17 vide advertisement dated 20.09.2018 published in daily newspaper, whereby the petitioner appeared in the written test conducted by Pakistan Testing Service and secured 66 marks out of 100 marks and has qualified for interview. The recruitment process was conducted through an independent selection Board constituted by the governing body i.e. Member

Executive Authority of PEC from amongst the members and highly qualified professionals of Engineering fraternity, which shows transparency in the selection process. The selection criteria was approved by the governing body of the Pakistan Engineering Council, which contained the marks evaluation sheet, in which weightage was given to the test and interview including the personality, confidence, administrative/management courses, communication skills and computer knowledge of the candidate. As per marks evaluation sheet appended with the record, petitioner has obtained 62.39% marks and placed at serial No. 41 in the order of merit from Punjab region on the basis of 50% reserved quota. The complete scan of the record reveals that 18 other candidates have secured equal or more marks as compared to petitioner and none of them was selected against the post of Assistant Registrar PEC-17. The petitioner has taken the stance that **W.P No. 4722/2018 (Engr. Salman Ahmed Vs. Federation of Pakistan through Secretary, M/o Science and Technology etc.)**, was filed by another candidate was not appointed by PEC, however, after filing of said writ petition, said petitioner has been accommodated by PEC, and said writ petition has been dismissed as withdrawn vide order dated 22.10.2019, therefore, at the said touchstone, PEC be directed to appoint him. However, the case of petitioner is altogether at different footings and he has not secured the merit, as such, he is not entitled for any benefit on the basis of benefit extended to a candidate, who had secured marks and achieved the merit. The petitioner has raised bald allegation against the selection committee, who tried to create ground of discrimination in the arguments, but surprisingly the entire record reflects transparency in the recruitment process, whereby, this Court could not supersede the subjective evaluation made by the selection committee through any manner, especially when the

entire result speaks against the petitioner, who could not achieve the position on merit and the seats of Punjab quota have been filled at the higher merit.

7. I have considered each and every aspect of the case, including the comparative results of all selected candidates vis-à-vis the petitioner marks and results, whereby no justified ground is made out.

8. For what has been discussed above, instant writ petition is misconceived and same is hereby **DISMISSED**.

(MOHSIN AKHTAR KAYANI)
JUDGE

RAMZAN