

GAHC010054622024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1503/2024

ESHAN DEBNATH
S/O- NIDAN DEBNATH,
R/O- RAJABARI MISSION COMPOUND, TOCKLAI GAON, DIST- JORHAT,
ASSAM, PIN-785014

VERSUS

THE UNION OF INDIA AND 4 ORS
THE DEPTT. OF MINISTRY OF HOME AFFAIRS, NORTH BLOCK, CENTRAL
SECRETARIAT, NEW DELHI-110001.
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF HOME AFFAIRS,

2: THE CHAIRMAN
STAFF SELECTION COMMISSION
BLOCK-12
4TH FLOOR
CGO COMPLEX
LODHI ROAD
NEW DELHI- 110003.

3: THE UNDER SECRETARY
THE STAFF SELECTION COMMISSION (SSC)
BLOCK-12
4TH FLOOR
CGO COMPLEX
LODHI ROAD
NEW DELHI- 110003.

4: THE REGIONAL DIRECTOR
STAFF SELECTION COMMISSION
THE NORTH EAST REGION OF INDIA

THE REGIONAL OFFICE AT DISPUR
HOUSEFED COMPLEX
WIRELESS

GUWAHATI-06. KAMRUP (M)
ASSAM

5:THE DIRECTORATE GENERAL
CENTRAL RESERVE POLICE FORCE (CRPF)
BLOCK NO-01
CGO COMPLEX
LODHI ROAD
NEW DELHI -0

Advocate for the Petitioner : MR. S S S RAHMAN, MS B H SHIRIN,MR S AHMED,MR. M R SODIAL,MS S Z HAYAT

Advocate for the Respondent : DY.S.G.I., MRS S BARUAH

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 08.11.2024

Heard Ms. S. Z Hayat, learned Counsel for the petitioner and Ms. S. Baruah Learned CGC appearing for the respondent Union of India.

2. Having regard to the nature of the case projected by the petitioner, the same is taken up for disposal at this stage.

3. The case of the petitioner is that the respondent to the advertisement dated 21/07/2018 for recruitment to the post of Constable (GD) Central Armed Police Force. Pursuant to his application the petitioner participated and he was found to have scored 50.1132 in the Computer Based Examination (Tier-I/Paper-I). According to the petitioner he belongs to the OBC category and the cut off marks for

part-A examination is 17 whereas he scored 19 as per the score sheet. Moreover, he also has the required height of 165 cm as stipulated by the relevant provision. Despite the same the petitioner has not been selected and appointed and therefore the petitioner is before this Court. The learned CGC submits that similar writ petitions have been considered by this Court and the writ petitions have been dismissed on grounds of delay and laches. In this connection she to refers to the order dated 23/10/2024 passed in **WP(C) no. 4425 of 2024 (*Manash Protim Gogoi Versus The Union of India and 4 others*)**. She therefore submits that since the present case is also similar and identical the writ petition should be rejected.

4. Upon hearing the learned counsel for the parties and upon perusal of the material available on record and particularly the order passed on dated 23/10/2024 in WP(C) no. 4425 of 2024 it appears that the present writ petition is also hit by delay and laches. It is further seen that as per the declaration of the final result sheet annexed to the writ petition as annexure-G, it is seen that there were 45 vacancies for OBC category and all the 45 vacancies have been filled up.

5. In view of the above, the writ petition being hit by delay and laches is therefore dismissed. No costs.

JUDGE