



Serial No.27
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 347 of 2024

Date of Decision: 13.05.2025

Prashant Suresh Bhalerao.

...Petitioner

-Versus-

1. Union of India
represented by the Home Secretary,
Ministry of Home Affairs,
Govt. of India,
North Block, New Delhi – 110001.
2. Assam Rifles,
through its Director General,
Assam Rifles,
Shillong – 793010, Meghalaya.
3. Directorate General of Assam Rifles,
Assam Rifles,
Shillong- 793010, Meghalaya.

...Respondents

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. S.K.Lamba, Adv.

For the Respondent(s) : Dr. N.Mozika, DSGI with
Ms. M.Myrchiang, Adv.



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| i) | Whether approved for reporting in Law journals etc: | Yes/No |
| ii) | Whether approved for publication in press: | Yes/No |
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JUDGMENT AND ORDER (ORAL)

1. The brief facts of the case are that pursuant to a Notification dated 15-02-2023, issued by the respondents No. 2 & 3 for holding of Assam Rifles Technical and Tradesman Rally for enrolment into Group B and Group C posts against vacancies mentioned herein which were earmarked State and Union Territory wise, the petitioner had applied for the same and participated in the selection process. After the selection, a list of successful candidates was published which also featured the name of the petitioner who were called for detailed medical examination, and thereafter, on 18-08-2023, the final merit list was published. It is the case of the petitioner that 10(ten) of the advertised vacancies that had been earmarked for the state of Maharashtra from where he hails from, in the ratio of 6(six) in the General Category and 4(four) OBC Category, only 8(eight) vacancies had been filled up i.e. 5(five) from the General Category and 3(three) from the OBC Category. The petitioner therefore, belonging to the General Category and having qualified in the process is before this Court seeking directions for



filling up of the vacant post in the General Category which he alleges is still available.

2. Ms. S.K.Lamba, learned counsel for the petitioner has submitted that the writ petitioner having qualified was hopeful of being granted appointment under the quota earmarked for the State of Maharashtra, but however, on not being offered appointment, has been compelled to come before this Court by way of the instant writ petition. It is further submitted that no reserved panel/waiting list has been prepared or maintained by the respondents which has left candidates such as the writ petitioner in the dark. She however, finally submits that as can be seen from the affidavit-in-opposition filed by the respondents, the petitioner being placed at No. 14 in the select list, should at least be placed in the waiting list to await any further outcome.

3. Dr. N.Mozika, learned DSGI assisted by Ms. M.Myrchiang, learned counsel on behalf of the respondents has submitted that the petitioner's name was low in merit and has referred to the chart annexed at Annexure-B showing that for the State of Maharashtra, all 10(ten) vacancies had been filled up and has submitted that above the writ petitioner, 3(three) other General candidates are in the list and as such, even if there is one vacancy, the petitioner will not fall within the zone of consideration. He therefore



submits that the writ petition is without any merit and is liable to be dismissed.

4. Heard learned counsel for the parties.

5. To cut short the entire case, the entire issue is answered by the chart appended at Annexure-B to the affidavit-in-opposition wherein the list of 10(ten) vacancies for the State of Maharashtra in the ratio, General-6 and OBC-4 has been shown, and from a perusal of the detailed list itself which had been submitted by the learned DSGI subsequently, it is seen that there are already 6(six) selected General candidates namely, Serial Nos. 1 to 5 and 7. In the same list itself, it is also seen that there are 3(three) General candidates above the writ petitioner at Serial Nos. 10, 12 and 13. The petitioner therefore being placed at No. 14, not falling in the zone for consideration as per the vacancies, there is no merit in the writ petition and the same is dismissed.

6. No order as to costs.

Judge