

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No.783 of 2016

Date of Decision : January 15, 2016

Bhupender Singh

.....Petitioner

Versus

Staff Selection Commission, Karnataka and others

....Respondents

**CORAM : HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present : Mr. Vikram Singh, Advocate.

T.P.S. MANN, J.

Petitioner-Bhupender Singh has filed the present writ petition under Article 226 of the Constitution of India with a prayer for setting aside the order dated 16.2.2015 (Annexure P-1) passed by the Chandigarh Bench of Central Administrative Tribunal and order/letter dated 29.10.2013 (Annexure A-6) issued by the Regional Director, Staff Selection Commission (Karnataka-Kerala Region), Bangalore.

According to the petitioner, an advertisement for the post of Lower Division Clerk from the Combined Higher Secondary 10+2 Level Examination was issued by the Staff Selection Commission, Allahabad. He applied against the OBC category and was allotted Roll No.3001542175 as he was found eligible. He cleared the examination and placed at serial No.20 of the list of candidates qualified for

posting in Karnataka region. He passed the type test at serial No.9595 and his name was mentioned at serial No.1077 in the list issued on 13.6.2013. Despite the same, he received letter dated 29.10.2013 (Annexure A-6) wherein it was mentioned that his candidature stood cancelled. Aggrieved of the same, he filed Original Application before the Central Administrative Tribunal but the same has been dismissed vide impugned order dated 16.2.2015 (Annexure P-1).

Having heard learned counsel for the petitioner and on going through the impugned order (Annexure P-1), it is made out that the petitioner, who claimed to be belonging to OBC category did not possess valid OBC category certificate in terms of instructions dated 8.9.1993 issued by the Department of Personnel and Training. When he was confronted with the said fact, he gave an undertaking on 6.3.2013 that his case be considered under general category. Having given such an undertaking, he cannot be heard saying that he be granted appointment in OBC category.

In view of the above, there is no merit in the writ petition and the same is, accordingly, dismissed.

**(T.P.S. MANN)
JUDGE**

**(RAMENDRA JAIN)
JUDGE**

January 15, 2016
satish