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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1138/2016 and CM APPL. 4992-4993/2016

AMAR PAL SINGH

..... Petitioner

Through: Mr. Ankur Chhibber, Advocate

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Vikas Mahajan, CGSC with

Mr. Rohan Gupta, Mr. S.S. Rai, Advocates and

Mr. V.K. Sharma, DC(Law), RAF/CRPF.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **11.02.2016**

1. The present petition has been filed by the petitioner praying *inter alia* for quashing the Signal dated 05.02.2016, whereby he has been de-inducted from Formed Police Unit ('**FPU**' in short) (Male/Female) for deployment in Liberia under UN MIL.

2. It is the stand of the petitioner, who is presently working on the post of an ASI/Pharmacist in the respondent No.4/CRPF, that he had applied for being selected as a part of the FPU for deployment in Liberia under UN MIL and was duly selected in the category of "Pharmacist" as is reflected from Annexure P-3. Subsequently, when the petitioner was interviewed by the officers from the UN, he failed to

clear the interview and resultantly, the respondent No.5, whose name was placed in the reserved list and who had cleared the interview, was selected to be a part of the FPU.

3. It is the contention of the petitioner that the interview process undertaken by the respondents is contrary to the Standing Operating Procedure prescribed by the UN (Annexure P-4) and therefore, the results of the interview conducted in respect of the petitioner ought not to have been taken into consideration for his non-selection. Learned counsel for the petitioner states that immediately upon his de-induction, the petitioner had submitted a representation dated 31.01.2016 to the Director General, CRPF, which is still pending consideration. He submits that the FPU shall depart for Liberia on 15.02.2016 and the respondents have deliberately failed to reply to the petitioner only to frustrate his claim.

4. Learned counsel for the respondents, who appears on advance notice, disputes the submission made by the other side that the interview process was not undertaken at the instance of the respondents. He submits that the officers from the UN, who had visited India, had requested for an operational interview and asked for

a list of all officers, Medical officers, Health Inspector, Platoon Commanders, Section leaders and all other key post holders and it was in view of the said request that a list was forwarded by the respondents to the officers of the UN which included the name of the petitioner (Annexure P-5). It is submitted that the interview process was also undertaken by the officers from the UN and not by the respondents. Learned counsel states while the petitioner did not clear the interview, respondent No.5, who was kept in the reserved list and had cleared the interview, was selected. Therefore, there are no *malafides* that can be attributed to the respondents for the de-induction of the petitioner.

5. Having regard to the submission made by the counsel for the petitioner that his representation remains pending at the end of the respondents for the past 10 days despite there being an urgency in the matter, it is deemed appropriate to direct the respondent No.2/Director General, CRPF to consider the said representation and convey his decision to the petitioner on or before 13.02.2016. In the decision taken, the reasons for de-inducting the petitioner in the FPU 2016-17 shall be furnished.

6. The petition is disposed of alongwith the pending applications.

DASTI to the counsel for the respondents under the signatures of the Court Master.

HIMA KOHLI, J

SUNIL GAUR, J

FEBRUARY 11, 2016

rkb/ap