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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7334/2016**
ARUN KUMAR Petitioner
Through: Mr.Arun Nischal, Advocate.

versus

UNION OF INDIA AND ORS Respondents
Through: Mr.Sarat Chandra with Mr.Sachin
Chandra, Advocates.

CORAM:
HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **29.09.2016**

In this writ petition, the petitioner, a candidate who had applied for and been appointed to the post of Assistant Inspector of Central Industrial Security Force (CISF), after clearing the Central Armed Paramilitary Forces (CAPF) Examination, 2012, has sought directions on the respondents to consider and appoint the petitioner to the post of Sub-Inspector in the CISF from the date on which the last candidate was selected as Sub-Inspector in the category meant for Scheduled Caste candidates.

It appears that on 3rd March, 2012, the petitioner made an online application for recruitment to the Central Armed Paramilitary Forces and given the registration I.D. number 51146120965.

In the application, the petitioner was required to fill in the posts for which the petitioner was applying, in order of preference.

According to the petitioner, the petitioner made the post of Sub-Inspector in the CISF his first preference and the post of Assistant Sub-Inspector in the CISF his second preference, but due to highly engaged server or some technical error in the Staff Selection Commission Website, the preference order given by the petitioner got reversed.

It is doubtful whether the preference order marked by the petitioner could have got changed for the reasons alleged in the writ petition. In any case, the reason for the error is immaterial. Admittedly, in the online application, the petitioner had opted for 2 posts in order of preference. His first preference was post code 'C' which is Assistant Sub Inspector in CISF and his second preference was post code 'B' which is Sub Inspector in CISF. The petitioner was accordingly considered for the post code 'C' as per the petitioner's post code preference. The petitioner was selected to the said post and the petitioner was appointed to the said post. The appointment has taken place about three years ago and the petitioner has joined the post about three years ago as aforesaid.

From the representation of the petitioner, it is patently clear that in the

online form received by the respondent the first preference was shown as Assistant Sub Inspector in CISF (Code 'C').

The Court is not really concerned with reason for the wrong entry in the online application form. The fact remains that as per the rules, candidates are not allowed to change/revise the preference subsequently. Candidates were advised to indicate the preference of the post carefully. If this was not done, it was the petitioner's bad luck. Three years after the petitioner accepted appointment and joined without any protest as Assistant Sub Inspector of Police, there can be no question of this Court directing the respondents to allow change of preference of the petitioner.

The interference of this Court is not warranted. The writ petition is therefore, dismissed.

INDIRA BANERJEE, J

V. KAMESWAR RAO, J

SEPTEMBER 29, 2016

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