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

+ W.P.(C) 7342/2015

RAJEEV

..... Petitioner

Through Ms. Avnish Ahlawat and Ms. Latika
Choudhary, Advocates

versus

COMMISSIONER OF POLICE AND ANR. Respondent

Through Mr. Ashutosh Kumar Tripathi, ASC
with Mr. Rizwan, Advocate

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% **25.10.2016**

1. Having heard the counsel for the petitioner, we are not inclined to interfere with the impugned order dated 4th September, 2014 dismissing the OA No.613/2010.
2. The petitioner had appeared as a departmental candidate in the limited departmental examination under 10% quota out of 50% direct recruitment seats, for the post of Sub-Inspector (Executive).
3. Constables/Head Constables/Assistant Sub Inspectors were eligible to appear under the said 10% quota.
4. The petitioner, however, was not selected for he had faced departmental proceedings and vide the order dated 6th January, 2009 had suffered punishment of forfeiture of five years approved service. On appeal vide order dated 12th August, 2009, the punishment was reduced to forfeiture of one year approved service. The punishment has attained finality.
5. It is the accepted and admitted case that when the petitioner had appeared for the limited departmental examination for the higher post

of Sub-Inspector (Executive), he was facing the said departmental inquiry. In these circumstances, we do not think the petitioner can claim any right to be appointed to the post of Sub-Inspector (Executive) on the basis of the limited departmental examination.

6. The petitioner's contention is that in two other cases of Constable Ajay Kumar and Constable Amit Kumar, inspite of punishment being meted, they were considered for promotion to the higher post. We have reservations against the administrative order or decisions taken in the two cases. A wrong decision in another case, cannot confer any legal right.

7. The Tribunal, while dealing with the said aspect, has held that the petitioner was awarded punishment on the grave and serious charges of corruption.

8. The reason and ground upheld by the Tribunal to deny appointment under the 10% quota out of 50% direct recruitment posts is justified and correct.

The writ petition is dismissed.

SANJIV KHANNA, J

SUNITA GUPTA, J

OCTOBER 25, 2016

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