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

+ W.P.(C) 1799/2016

RAVI KANT Petitioner

Through Ms. Aditi Sharma, Adv.

versus

COMMANDANT COMMAND 505 & ANR. Respondents

Through Mr. Dev P. Bhardwaj, CGSC

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE ANIL KUMAR CHAWLA

ORDER

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01.05.2017

The petitioner Ravi Kant was issued provisional selection letter dated 23.6.2014 for appointment to the post of Fitter. Subsequently, appointment letter was not issued.

2. This promoted the petitioner to issue legal notice and on no response has to file the present writ petition.

3. The respondents in the counter affidavit have clarified the factual position.

4. The petitioner was a Scheduled Caste candidate and had been provisionally shortlisted against two Scheduled Caste posts. Another person with Roll No. 67, who also belonged to Scheduled Caste category having secured 64.67 marks, was provisionally selected in un-reserved category. On verification of documents, this candidate considered under the Scheduled Caste category and not under the unreserved category, as he was granted age relaxation.

5. Thereupon, the select list in the Scheduled Caste category underwent modification and change as candidate with Roll No. 67 was treated as selected in the Scheduled Caste category. Thus, the petitioner who had secured 60.33 marks was placed at serial no.3 in Scheduled Caste category as there is another candidate with Roll No. 404, who has secured 60.47 marks.

6. In view of the aforesaid factual position explained by the respondents, we do not think the petitioner can succeed.

7. In fact, it would have been better, if, the respondents had informed the petitioner as to the true and correct factual position, when the legal notice was issued and served upon them.

8. In view of the aforesaid discussion, the writ petition has no merit and is dismissed. No costs.

SANJIV KHANNA, J

ANIL KUMAR CHAWLA, J

MAY 01, 2017/rc