

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 40433 of 2017

ORAL ORDER: *(Per the Hon'ble Sri Justice Suresh Kumar Kait)*

Vide the present petition, petitioner has challenged order dated 10.07.2017 passed in O.A.No.1453 of 2017 by the Andhra Pradesh Administrative Tribunal, Hyderabad, whereby the application filed by the petitioner under Section 19 of the Administrative Tribunals Act, 1985 has been dismissed.

2. The petitioner applied for the post of Stipendiary Cadet Trainee Police Constable (Civil) in Prisons and Correctional Services Department, in pursuance of notification issued by State Level Police Recruitment Board, Andhra Pradesh, Hyderabad, in Rc.No.202/R&T/Rec.2/2016 dated 22.07.2016. As per the said notification, Ball Badminton is noted as one of the recognized games, participation in which at Inter University Level qualifies a person for selection under special category reservation of Meritorious Sports Person (MSP). In the online application, the petitioner claimed MSP special category reservation. He belongs to Scheduled Caste. He secured 92 marks in the final written test, but was not selected.

3. Case of the petitioner is that a person, who secured 73 marks, was selected under MSP special reservation quota from Scheduled Caste from Krishna District, to which he also belongs. Questioning his non-selection under MSP special reservation category, the petitioner filed the original application before the Tribunal as noted above.

4. It is not in dispute that in the notification dated 22.07.2016, the last date for submission of applications was 14.09.2016. However, the game “*Ball Badminton*” has been deleted vide revised notification Rc.No.202/R&T/Rec.2/2016-2 dated 16.08.2016. It is also not in dispute that the petitioner applied for the said post on 12.09.2016, after the amendment to the notification dated 22.07.2016. Since the game “*Ball Badminton*” has been deleted from the notification dated 22.07.2016, the case of the petitioner was not considered under sports quota, however considered under Scheduled Caste category to which he belongs.

5. It is not in dispute that the last candidate selected for the post in question scored 114 marks under Scheduled Caste category, whereas the petitioner secured only 92 marks. Since the game “*Ball Badminton*” was deleted from the original notification on 16.08.2016 much prior to the last date of submission of applications i.e., 14.09.2016 and the petitioner applied for the post on 12.09.2016, we find no illegality and perversity in the order dated 10.07.2017 passed by the learned Tribunal in O.A.No.1453 of 2017.

6. Accordingly, the writ petition is dismissed. No order as to costs.

Consequently, miscellaneous applications if any pending in the writ petition shall stand closed.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

8th March, 2018
cbs

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W.P.No.40433 of 2017
(dismissed)

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