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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 975/2018**
RAHUL KUMAR MEENA Petitioner

Through: Mr. MD. Jangra, Advocate with
petitioner in person.

versus

UNION OF INDIA & ORS Respondents

Through: Ms. Bharathi Raju, CGSC

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **28.02.2018**

1. The petitioner has filed the present petition praying *inter alia* for issuing a writ of mandamus to the respondents to appoint him to the post of Constable (GD) in the CAPFs, having participated in the advertisement issued by the Staff Selection Commission in January, 2015.
2. The main grievance of the petitioner is that he had secured 61 marks in the written examination and the last person, who was allocated the post of Constable in the CAPFs, had secured 58 marks in the ST category and the candidature of the petitioner, who belongs to the ST category, was ignored.
3. On the last date of hearing, counsel for the respondents had sought time to obtain instructions. Today, she hands over a copy of the letter dated 09.01.2018, addressed by the Directorate General, CRPF to the National Commission for Scheduled Tribes. She states that before filing the present petition, the petitioner had filed a representation dated 13.12.2017 before the National Commission for Scheduled Tribes, raising the same grievance as raised in the present petition wherein notice was issued to the respondent. A detailed reply was submitted by the Directorate General, CRPF stating *inter*

alia that the petitioner belongs to the 'Meena' Caste, which is not notified in the central list of Delhi under the ST category and therefore, his candidature was considered in the unreserved category but he did not fulfil the eligibility criteria of the physical standard and his candidature was rejected as his height is 169 cm, as against the required height of 170 cm.

4. Quite clearly, the fate of the representation is apparent from a perusal of the letter dated 09.01.2018 addressed by the Directorate General, CRPF to the National Commission for Scheduled Tribes.

5. Learned counsel for the respondents states that apart from the fact that the petitioner did not meet the eligibility criteria of the physical standards he has scored lower marks than the cut-off marks in any of the CRPFs in the un-reserved category.

6. At this, learned counsel for the petitioner states that he may be permitted to withdraw the present petition while reserving the right of the petitioner to submit a representation to the Staff Selection Commission for reconsidering his candidature in the unreserved category.

7. Leave as prayed for is granted. In the event, the petitioner has a grievance against the observations made in the letter dated 09.01.2018 issued by the Directorate General, CRPF, he may submit a representation to the concerned authorities with regard to his eligibility, both, in the written examination and the required physical standards.

8. The petition is disposed of, as not pressed.

HIMA KOHLI, J

PRATIBHA RANI, J

FEBRUARY 28, 2018/rkb/'hkaur'/ap
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