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

+ W.P.(C) 3793/2018 and CM APPL. 15029/2018

DHARMENDRA KUMAR Petitioner
Through: Mr. O.P. Agarwal, Advocate.

versus

UNION OF INDIA AND ORS. Respondents
Through: Mr. Gigi C. George, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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18.04.2018

1. The present petition has been filed by the petitioner praying *inter alia* for issuing directions to the respondents/SSB to consider his case for appointing him to the post of Head Constable (Ministerial).

2. A perusal of the records reveals that an advertisement was issued by the respondents in November, 2013, inviting applications for making enrolment of candidates for the post of Head Constable (Ministerial) and the petitioner had applied for the same. He had participated in the Physical Efficiency Test in the year 2014, which he successfully completed thereafter. In the second stage of recruitment, the petitioner was to appear for written examination, which he qualified on 16.01.2015. When the petitioner sat for the typing test, it transpired that he had secured 34.52 marks against cut off marks i.e. 35 marks for qualifying the said examination. As a result, he was declared unsuccessful. Instead of seeking

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legal recourse against the respondents, he raised grievance against an officer in the examination centre, where the petitioner was sitting for the written examination, that he had threatened him. The petitioner adopted the RTI route by filing an application for gathering information with regard to examination conducted by the respondents and for obtaining copies of his typing test results, etc.

3. We have specifically enquired from learned counsel for the petitioner that in circumstances where the examination in question for which an advertisement was issued in November, 2013, was conducted in the year 2014 and the entire process was over in November, 2015, what steps did the petitioner take immediately thereafter to seek legal recourse.

4. Learned counsel for the petitioner submits that apart from gathering information through applications filed under the RTI Act and “*running from pillar to post while approaching every appellate authority permissible under the law*”, the petitioner did not seek any legal recourse.

5. We are not in a position to entertain such a belated petition as no satisfactory explanation has been offered for the inordinate delay in approaching the Court. The aspect of delay gains significance in the present case as the grievance relates to appointments made in the year 2015.

6. In such circumstances, the present petition is dismissed on account of gross delay and *laches* alongwith the pending application.

HIMA KOHLI, J

PRATIBHA RANI, J

APRIL 18, 2018/na
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