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

+ W.P.(C) 8327/2018

MS. MAHAPAARA SABDAR Petitioner

Through: Mr. H.S. Tiwari, Advocate.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Akshay Makhija, CGSC with
Ms. Kirti Awasthi, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **09.08.2018**

1. The petitioner had applied in the Ground Duty Officers Course branch of the Indian Air Force in February, 2017. On successfully clearing the Air Force Common Admission Test (AFCAT) course on 22.05.2017, she was recommended for appointment by the Selection Board.
2. It is stated in the writ petition that the petitioner was also declared medically fit after examination conducted on 14.06.2017. Subsequently, when the merit list was declared on 30.11.2017, the petitioner's name did not feature in the said list. Aggrieved thereby, the petitioner approached the respondent No.2/Indian Air Force with a representation dated 11.12.2017, asking for the details of the cut off marks and her merit position. The said representation was rejected by the respondents vide order dated 26.12.2017 stating *inter alia* as follows:-

"1. Please refer your representation dated 11 Dec 2017 addressed to CAS.

2. The selection as given in the advertisement and inter se merit is for a particular course(s). The results, therefore, cannot be carried forward to the next / subsequent courses.

This system is followed for all competitive exams (civil services/ UPSC exams).

3. You may understand that the candidate, who figure in two different Branches in the merit list are for different entries and as such have undergone two different SSB attempts and recommended in each. Hence your apprehension that logic of preference is not followed, may be cast aside.

4. We wish you all the best for your future endeavours.”

3. Thereafter, the petitioner continued making representation to the respondents starting from the President of India to the Chief Air Staff, which were responded to by the respondents each time vide replies dated 20.02.2018, 23.03.2018, 25.04.2018 and 14.06.2018.

4. Finally, the petitioner has filed the present petition raising the same grievance that she was wrongly excluded from the merit list.

5. Mr. Makhija, learned CGSC, who appears on an advance notice states on instructions that out of 1200 marks, the petitioner had secured 567 marks and had opted for two branches, namely, administrative branch and logistic branch. The cut off marks for the administrative branch was fixed at 601 and for the logistic branch at 603. The petitioner was way down in ranking and therefore, was not included in the merit list.

6. In view of the aforesaid fact position, we do not see any reason to entertain the present petition, which is accordingly dismissed.

HIMA KOHLI, J

REKHA PALLI, J

AUGUST 09, 2018/na