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

\+ **W.P.(C) 10024/2018**

NISHANT KAUSHIK ..... Petitioner

Through: Mr. Aditya Gaur, Advocate

versus

UNION OF INDIA ..... Respondents

Through: Mr. Vikas Mahajan, Advocate

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

O R D E R

% 16.11.2018

1. This is a writ petition seeking a direction to the Respondents to consider the Petitioner's candidature for the post of Constable in Central Armed Police Force Services (C.A.P.F.S.) and Rifleman in Assam Rifles.

2. The Petitioner had applied for the said recruitment in 2015. He sat for the written examination on 4th October, 2015 at the Municipality Inter College, Jwalapur, Haridwar. According to the Petitioner, his results were not declared and through RTI, he got to know that his marks were 79 out of 100. The cut-off in the merit list was 77 marks. Accordingly, he submits that the Respondents ought to have selected him for recruitment.

3. On not being able to ascertain the reasons for his non-selection, the Petitioner first approached the Central Administrative Tribunal (CAT). After CAT passed an order on 19.12.2017 that it did not have jurisdiction to entertain this petition, the Petitioner approached this Court through the present petition.

4. Pursuant to the order passed by this Court on 24.09.2018, the learned counsel for the Respondents has placed before the Court the notice published on the website of the Staff Selection Commission (Northern Region) informing that the examinations that were held in four centres on 4th October, 2015 including the MU Inter College, Jwalapur, Haridwar, where the Petitioner took the exam had been cancelled on the ground of report of irregularities/malpractices. The said notice advised the candidates to visit the SSC (NR) website and contact the SSC (NR) for further directions. It was also clearly stated that re-examination will be held in Delhi on 22.11.2015. It further stated that the admission certificates for the re-examination would be available on the website of the SSC (NR).

5. For some reason, the Petitioner did not avail of the above opportunity, and therefore, did not take the re-examination. Learned counsel for the Respondents informs the Court that nearly 785 candidates of the 1876 candidates, who took the initial examination on 4th October, 2015 in the four centres where that examination was cancelled sat for the re-examination on 22.11.2015. Therefore, the plea that this was not made known is not tenable.

6. In the circumstances, the Court is unable to accept the prayer of the Petitioner. The petition is accordingly dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

NOVEMBER 16, 2018/rd