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

+ **W.P.(C) 13052/2018 & C.M. No. 53601/2018**

SH. SATYENDRA SINGH Petitioner

Through: **Mr. Rajender Yadav, Advocate.**

versus

COMMISSIONER OF POLICE AND ANR. Respondents

Through: **Mr. Naushad Ahmad Khan, ASC**
(Civil) for GNCTD with Mr.Zahid
Hanief, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

19.12.2018

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C.M. No. 53601/2018

1. Issue notice.
2. Learned counsel for the respondents accepts notice.
3. The petitioner has preferred the present application to seek disposal of the writ petition in terms of our judgment rendered in ***W.P.(C) 10143/2017*** titled ***Umesh Kumar v. Commissioner of Police*** on 15.11.2018. and 06.12.2018. The petitioner submits that like the petitioner-Umesh Kumar, in ***W.P.(C) 10143/2017***, he too was a regular employee of the Rajasthan Police Force and has resigned from his services on account of the fact that his name was shown in the Select List and he was also called to sign an agreement with the respondent wherein, it was clearly held out to the petitioner that he has been appointed by the respondent as Constable.

4. The petitioner has placed on record along with the present application, his appointment order dated 25.02.2015 wherein, the name of petitioner/Satyendra Singh is at serial No. 36. He also places on record the order of acceptance of resignation dated 27.08.2015 on account of his appointment in another Government Job i.e. the appointment in the respondent department.

5. In our view, the case of the petitioner is squarely covered by our decision in *W.P.(C) 10143/2017*.

6. Learned counsel for the respondent also does not dispute this position. The respondent has, however, submitted that mere inclusion of the petitioner's name in the Select List would not give a right to the petitioner to seek appointment. He further submits that the agreement executed by the petitioner with the respondent related only to prospective training to be undergone.

7. We do not find any merit in these submissions of the respondent. It was entirely on account of clear representation held out to the petitioner that he had been appointed with the respondent, that he resigned from his existing service with the Rajasthan Police Force. In this background, the respondent could not have subsequently, declined appointment to the petitioner on the ground that he had not made the cut upon re-awarding of marks. Pertinently that process had to be undertaken for no fault of the petitioner and for reasons entirely attributable to the respondents.

8. We, therefore, allow this writ petition in terms of our judgment dated in *W.P.(C) 10143/2017*.

9. This petition need not be listed on 04.02.2019, the date earlier fixed in the matter.

VIPIN SANGHI, J

PRATEEK JALAN, J

DECEMBER 19, 2018

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