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

+ **W.P.(C) 6276/2017**

SUNIL

..... Petitioner

Through: Mr.Randhir Singh Kalkal, Advocate.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr.Vijay Joshi, Sr.Panel Counsel
with SI Deepak Kumar.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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28.03.2019

1. The Petitioner has come before this Court for a direction to the Respondents to offer him the appointment for the post of Constable/GD in the Central Reserve Police force (CRPF).
2. The facts in brief are that the Petitioner appeared in the exam conducted by the Staff Selection Commission ('SSC') in 2015 and he was declared passed in all the tests i.e. written tests, physical efficiency test and medical test. The Petitioner was in the unreserved category.
3. In the counter-affidavit filed on behalf of Respondents it is stated that there was a detailed scrutiny of the dossiers of the candidates who had been shown as provisionally selected pursuant to the Constable/GD Exam of 2015. Out of the provisional selected candidates 275 candidates were

allotted to the group centre Delhi along with recruitment dossiers for completion of the formalities. It is stated that it was found from a scrutiny of the dossier the category of the Petitioner among 6 other candidates were found mismatched. In other words, although the Petitioner had applied in the un-reserved category he was shown as a reserved category candidate i.e. OBC. This was a mistake on the part of the Respondents.

4. It was stated in the last paragraph of the counter-affidavit that the case of the Petitioner had already been forwarded to the DIG to examine the issue at the Director's level 'for revision of the result'.

5. On 22nd March 2018 the Respondents are permitted to file additional affidavit to place on record the developments subsequent to the filing of the counter-affidavit.

6. An additional affidavit was filed by the SSC confirming that the result of the Petitioner has been revised by it at the request of the CRPF. In para 5 of the additional affidavit, it is stated as under:

“5. That when the said discrepancy in category of the Petitioner came the notice of the CRPF, his result revision was recommended by them. Accordingly, the result of Petitioner was revised from OBC to UR category by Staff Selection Commission on the recommendation of CRPF. As per said revision of result, he was declared not selected in the said Recruitment Examination vide result Write-Up dated 23.08.2017, as the marks (80) scored by him in the Written Examination are less than the marks (81) of the last selected UR candidate of General District Area of Haryana State for ITBP & Assam Rifles.”

7. Counsel for the Petitioner points out that on the website of the SSC the cut-off shown for the State of Haryana in the un-reserved category is '80'. However, learned counsel for the Respondents has produced before the Court a copy of the letter dated 26th October 2018 addressed by the Director General, CRPF, CGO Complex to Inspector General Northern Sector clarifying that for the State of Haryana in the un-served category the cut-off mark was '81'.

8. In that view of the matter, no relief can be granted to the Petitioner in the present petition and is dismissed as such.

S.MURALIDHAR, J.

I.S.MEHTA, J.

MARCH 28, 2019

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