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

+ **W.P.(C) 9396/2017**

RAHUL ANTIL

..... Petitioner

Through: Mr.C.S. Mann, Advocate.

versus

PRESIDENT CENTRAL AIRMEN SELECTION BOARD

..... Respondent

Through: Ms.Barkha Babbar, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

% 20.11.2019

1. The Petitioner has approached this Court aggrieved by his non-selection for the posts of Airman Group Y (Non-Technical) and Group X (Technical). According to the Petitioner, although he figured at S.No.874 of the merit list for the post of Airman Group Y (Non-Technical), the Respondents recruited 2441 candidates and the Petitioner was not offered appointment.

2. In response to the notice issued in the petition, a counter affidavit has been filed by the Respondent where the position as regards the vacancies is indicated in para 4. There were two intakes: one in January, 2017 and the other in February, 2017. In the intake of January, 2017 the total vacancies were 950 and this entire lot of 950 vacancies was filled up from the main list, i.e. the All-India selection list. There were two sources for this list. One

was through Schedule Tests (ST) and the other is ‘on the spot’ selection through rallies held in far flung areas.

3. Although, the Petitioner presumed that he was in the merit list at S.No.874; the actual position is that his name figured in the wait list and 874 was the serial number. The wait list was valid up to 31st October, 2017. In para 6 of the counter affidavit, it is stated that from the wait list, 331 medically fit candidates were called as ‘stand by candidates’ for an enrolment scheduled on 28st June, 2017 to cater to vacancies arising due to absenteeism, unwillingness, medical unfitness, etc. of the ‘main list’ candidates on the day of enrolment. The Petitioner was not called since he was at S.No.874. On the day of enrolment, 205 medically fit wait list candidates up to S.No.508 were enrolled against vacancies arising from the main list. The wait list in which the Petitioner’s name figured automatically lapsed on 1st November, 2017.

4. The additional affidavit filed by the Respondents pursuant to the order dated 9th October, 2018 passed by this Court further explains that the Petitioner has wrongly projected in the petition the number of vacancies for which the recruitment was held as 3457. This number, it is explained, is only the Serial number of the last candidate in the main list. It is reiterated that the Petitioner’s name figured only in the wait list and that too at S.No.874. Of the 2117 candidates whose names were published in the enrolment (1149 for the January, 2017 intake for which the list was published on 10th December, 2016 and 968 for the February, 2017 intake, the list for which was published on 10th January, 2017), only 1753 candidates were finally

enrolled in the Indian Air Force.

5. In view of the counter affidavit and the additional affidavit filed by the Respondent, it becomes clear that the Petitioner being a wait list candidate did not make it to the final enrolment for the reasons explained in the affidavit and noted hereinbefore. The wait list in which his name figured was to be considered only till 31st October, 2017.

6. In the circumstances, it is not possible for this Court to accede to the prayer made by the Petitioner. The petition is accordingly dismissed.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 20, 2019

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