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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 13661/2018 & CM 53227/2018

KASHISH BHATIA

..... Petitioner

Through: Mr Anil Singal, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Ms Suman Chauhan, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

27.02.2019

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1. The Petitioner is aggrieved by the order dated 16th October, 2018, cancelling his candidature for the post of Assistant Sub Inspector (Executive) ('ASI') in the Central Industrial Security Force ('CISF').

2. The facts are that the Petitioner got selected for the said post and was asked to report to the DIG, CISF Regional Training Centre (RTC) Arakkonam, District Vellore (Tamil Nadu) by 10th February, 2018 for basic training for 51 weeks.

3. The Petitioner did not report for duty for training by the above date. According to him, since his mother was seriously ill, he submitted an application for extension of time. The first extension was granted to him, when by letter dated 5th March, 2018, he was asked to report by 10th March, 2018. The extension clearly specified that "further correspondence for

extension will be entertained.”

4. The Petitioner did not avail this extension. He submitted a second application for extension of time. This too was accepted. By the letter dated 13th April, 2018, he was asked to report by 23rd April, 2018. It was mentioned that if he failed to do so, his offer of appointment would automatically lapse. However, the Petitioner did not join training even by 23rd April 2018.

5. A third application was submitted by the Petitioner for extension of time. This too was accepted. By an order dated 30th June, 2018, he was asked to report by 7th July, 2018. Even this extension was not availed by the Petitioner, by stating that his mother was still critically ill.

6. On 25th July, 2018, the Petitioner visited the office of the DIG at CISF along with his medical papers. The Respondent declined him to allow to join. On 14th August, 2018, the Petitioner sent an application seeking to join training with the next batch and quoted an Office Memorandum (‘OM’) dated 28th August, 1997. His claim was that in the past many candidates have been permitted to join with the next batch.

7. On 19th September, 2018, an order was issued by Respondent No.2 cancelling his candidature on the ground that he did not join training by 7th July, 2018. This led to yet another application being sent by the Petitioner on 27th September, 2018 seeking extension of time and for permission to join training with the next batch that would start anytime in 2019. It is pursuant

to this that on 16th October 2018, another order was passed by the Respondents reiterating the cancellation of the Petitioner's candidature for not joining training by 7th July, 2018.

8. Learned counsel for the Petitioner reiterates that since certain other candidates have been permitted to join, training with the next batch, the Petitioner should also be given the same indulgence.

9. The Court has already noted the number of opportunities granted to the Petitioner by the Respondents. Thrice his request for extension of time to join training was accepted. To expect the Respondent to keep granting further time, after having granted extension on three occasions, is neither fair nor reasonable.

10. In the circumstances, this Court is unable to find any error having been committed by the Respondents in cancelling the candidature of the Petitioner. The petition is accordingly dismissed. The application is also disposed of. No costs.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

FEBRUARY 27, 2019

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