

8.
16-11-2021
debajyoti

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

WPA 16976 of 2021

Biswajit Das
Vs.
The Union of India & Ors.

Mr. Malay Bhattacharyya
... For the Petitioner.

Mr. Mrinal Kanti Mukherjee
... For the Respondents.

The petitioner applied for recruitment as Constable – General Duty (in short ‘GD’) in CAPFs, NIA & SSA and Rifleman (GD) in Assam Rifles conducted by the Staff Selection Commission (in short ‘SSC’) for the year 2018. The petitioner was successful and was issued the offer letter of appointment on 15th February, 2021. The petitioner went to the concerned office on 12th March, 2021 to join there. The petitioner was, however, not allowed to join in the said post due to domicile mismatch as has been alleged by the petitioner.

The domicile mismatch is a serious issue which concerns the basic eligibility criteria in the recruitment process. The entire recruitment process was based on certain vacancies enumerated in respect of the districts and/or zones and only a domiciled person of such district or zone was entitled to apply and to be considered against the vacancy of such particular district or zone. It is apparent that the petitioner did not disclose his proper domicile while entering the recruitment

process. The petitioner's conduct, therefore, is not appreciable.

This Court is reluctant to extend any assistance to such a litigant. The petitioner is not entitled to any of the reliefs claimed in the writ petition. The writ petition is, thus, dismissed, without, however, any order as to costs.

Affidavits not having been called for, the allegations in the writ petition shall be deemed not to have been admitted.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Arindam Mukherjee, J.)