

06.12.2021
Sl. No.35
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 17505 of 2021

Sadam Husain
Vs.
Union of India & Ors.

Mr. Malay Bhattacharyya,
Mr. Subhrajyoti Ghosh

....for the petitioner.

Ms. Aparna Banerjee

....for Union of India.

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 the scheduled date of joining. 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.

Although the petitioner says that he is from a bordering district and had stated 24-Parganas (South) instead of 24-Parganas (North) and thereby has derived no additional benefit, but 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.)