

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 2693 of 2021

1. Narendra Kumar, S/o Shri Amar Lal, Aged About 29 Years R/o Village And Post Bagrekasa, Tahsil Dongargarh District Rajnandgaon Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Department of Home, Mahanadi Bhawan, Mantralaya Atal Nagar, New Raipur, District Raipur Chhattisgarh.
2. Inspector General of Police, Naya Raipur, District Raipur Chhattisgarh.
3. Collector, Rajnandgaon District Rajnandgaon Chhattisgarh.
4. Superintendent of Police, Rajnandgaon District Rajnandgaon Chhattisgarh.

---Respondents

For Petitioner	:	Shri Vivek Kumar Agrawal, Advocate.
For State	:	Ms. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05.08.2021

1. The qualification of the petitioner from selection to the post of Constable under the respondents is under challenge in the present writ petition.
2. During the course of the hearing, the State counsel points out that disqualification of the petitioner was on account of the petitioner not producing the domicile certificate to the authorities concerned whereas, the domicile certificate which the petitioner has put in for verification was that of the sister of the petitioner.
3. The counsel for the petitioner submits that the submission of sister's domicile certificate was inadvertent and that subsequently the petitioner has tried to produce the same before the authorities concerned which has not been accepted. The afore given facts are not disputed by the counsel appearing on either side.
4. Given the said facts, admittedly when the petitioner was subjected to document verification, the document i.e. the domicile certificate produced by the petitioner was not that of the petitioners, but was that of his sisters.

The requirement under the advertisement was the domicile certificate of the applicant/candidate himself. In the absence of any such certificate produced by the applicant at the time when it was required and the respondents disqualifying the petitioner for not producing the proper certificate, the same cannot be said to be either arbitrary or illegal in any manner, not can it be said to be contrary to the conditions attached to the advertisement. The recruitment agency does not have a practice or procedure of providing sufficient time for a candidate to cure the defaults or defects if any and moreover such time has also not been given to any other such candidates.

5. Under the circumstances, the petitioner cannot expect to be shown any extra favour by giving them time for curing the defaults or defects, if any, so far as deficiency in submitting any of the document
6. For the aforesaid reasons, the writ petition fails and is dismissed.

Sd/-
(P. Sam Koshy)
Judge