

\$~37

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

% ***Date of decision: October 18, 2022***

+ W.P.(C) 14698/2022 & CM APPL. 45096/2022(for exemption)
PRIYANKA KUMARI Petitioner
Through: Mr. S. K. Gupta, Advocate

versus

STAFF SELECTION COMMISSION Respondent
Through: None

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. By way of the present petition, petitioner seeks the issuance of a writ of mandamus or a direction to the respondent to confer the benefit of *two additional marks* according to the revised answer keys instead of only *one additional mark* already granted and consider the case of the petitioner for appointment to the post of Constable(GD) in Central Armed Police Forces, NIA and SSF and Rifleman(GD) in Assam Rifles, 2018 and if the petitioner is found fit as per merit, she may be appointed accordingly with all consequential benefits.

2. The case of the petitioner is that she appeared for the written examination on 11.02.2019 (Shift II) and scored 69 marks, which happened to be 67.73349 after applying the normalization method. Thereafter, the respondent issued instruction vide File No.07/01/2018-C 1/2 by which, it was decided to give *two grace/additional marks* for Shift II candidates,

including the petitioner, as per the revised answer key. However, in contravention of the aforesaid decision of the respondent, the petitioner was wrongly awarded *one additional mark* instead of *two additional marks*.

3. For the aforesaid relief, the petitioner sent a legal notice dated 23.07.2022 to the respondent, however, till date the same has not been responded to by the respondent.

4. Without issuing notice, in the interest of justice, we hereby direct the respondent to treat the aforesaid legal notice of the petitioner as a representation and decide the same with a reasoned order within two weeks from the date of receipt of this order. The respondent shall communicate the decision thereof to the petitioner.

5. In case the said decision is in favour of the petitioner, the respondent shall initiate appropriate steps to grant the benefit of *one additional mark* not granted to the petitioner in accordance with the specific instructions issued by SSC vide File No.07/01/2018-C 1/2.

6. Needless to state, if the petitioner is still aggrieved by the decision of respondent, she may challenge the same before the appropriate forum.

7. Accordingly, petition is disposed of alongwith the pending application.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

OCTOBER 18, 2022/rr