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

% ***Date of decision: 15.05.2023***

+ **W.P.(C) 5460/2023 & CM APPL.21339/2023**

SACHIN

..... Petitioner

Through: Mr.Shivanshu Bhardwaj, Adv.

versus

UNION OF INDIA AND ORS

..... Respondents

**Through: Mr.Harish Vaidyanathan Shankar,
CGSC with Mr.Srish Kumar Mishra,
Mr.Sagar Mehlawat & Mr.Alexander
Mathai Paikaday, Advs. for UOI.
Mr. N.K Singh, DIG, CRPF**

CORAM:

**HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

J U D G M E N T (oral)

1. **Vide the present petition, petitioner prays as under:**

- i. *To direct the respondents to permit the petitioner to participate in all three selections, VIZ. for the post of Constable (Technical and Tradesmen), for the post of Constables under Pioneer Wing, as also for the post of Ministerial Constables, against the Advertisement Notice dated 15.03.2023 read with Corrigendum dated 17/18.04.2023;*
- ii. *To direct the respondents to provide due age relaxation to the Petitioner, who belongs to the OBC category, for the*

- selection to the post of Ministerial Constables as provided under Corrigendum dated 17/18.04.2023;*
- iii. *To declare the necessary provision I clause of the impugned Advertisement dated 15.03.2023, read with Corrigendum dated 17/18.04.2023, which debars the Petitioner from independently take part in the concerned three selection processes as unconstitutional.*

2. Case of the petitioner is that in the year 2009-10, the Central Reserve Police Force (CRPF) carried out the selection for the post of Ministerial Constables vide an independent selection. On 01.03.2017, the CRPF had issued advertisement dated 01.03.2017 for independent recruitment to the post of Constable (Technical and Tradesmen). Thereafter, on 15.03.2017, CRPF had issued advertisement notification for independent selection and recruitment to the post of constable under the pioneer wing, i.e. for recruitment to constables in the category plumber, electrician, mason etc.
3. Learned counsel for the petitioner submits that the aforesaid posts enabled individual to participate in all the three selections without one's right for participation in any of them getting defeated, however, the respondents concerned now, vide advertisement dated 15.03.2023, provided for a joint selection to the post of Constable (Technical and Tradesmen) and for the post of Constables under the Pioneer Wing. Moreover, vide Corrigendum dated 17/18.04.2023, the concerned respondents have now even added the selection for the post of Constables in the Ministerial posts also to the undergoing selection as per the advertisement dated 15.03.2023.
4. Learned counsel further submits that the petitioner possesses the necessary qualification and eligibility to independently participate in all the three selection processes.

5. It is not in dispute that for the posts mentioned above, the recruitment rules are different in each and every case, however, the respondents have decided to conduct a common trade test and restricted the petitioners to apply only in one trade out of the three trades mentioned above.
6. Learned CGSC, on instructions, submits that let the respondents conduct the examination and before declaring results, the respondents will seek option/preference of the trades from all the candidates and thereafter the same shall be decided as per their merit/option and vacancies in each trade.
7. To this effect, respondents are directed to pass a corrigendum to the issue mentioned above.
8. We hereby make it clear that if there is no age relaxation mentioned in the advertisement that shall be applicable on the candidates belonging to each categories entitled of the age relaxation as far as corrigendum concerned.
9. In view of above, petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(TUSHAR RAO GEDELA)
JUDGE

MAY 15, 2023/ab