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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 08.08.2023

+ **W.P.(C) 13661/2019 & CM APPL. 55092/2019**

AKASH YADAV

..... Petitioner

versus

THE DIRECTOR GENERAL, CRPF, CGO COMPLEX & ANR

..... Respondents

Advocates who appeared in this case:

For the Appellant: Mr. R.K. Kapoor (Through VC) and Ms. Bindu Das,
Advocates.

For the Respondents: Mr. Anshuman, Senior Panel Counsel.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks a direction to the respondents to appoint the petitioner to the post of CT/Bugler from a different zone against available vacancy.
2. Respondents had published an advertisement in newspaper Employment News dated 13-19.02.2016 for recruitment to various posts of Constable (Technical & Tradesmen) in Central Reserve Police Force.
3. Petitioner submitted an application for the post of CT/Bugler and thereafter appeared in the examination. Petitioner cleared the Physical



Standard Test/Physical Examination Test as well as the written examination and Trade Test.

4. Subsequently, on 28.11.2016, petitioner was informed that his candidature has been cancelled for the reason that he had appeared through the Bilaspur Center Zone, Chattisgarh instead of his home State i.e. Madhya Pradesh. Petitioner approached this Court in September, 2019.

5. At the outset, we may note that the candidature of petitioner was rejected on 28.11.2016, but he approached this Court only in September, 2019.

6. It is an admitted position that petitioner, who was a permanent domicile of Madhya Pradesh, had filled his center as Bilaspur, Chhattisgarh.

7. Subject advertisement specifically stipulated that there was reservation of domiciliary status for recruitment to the posts and candidate belonging to particular States would only be considered for recruitment in their respective states on production of valid domicile certificate to prove their domiciliary status.

8. Though petitioner was a domicile of Madhya Pradesh, still he applied through Bilaspur, Chhattisgarh.

9. At the outset, since the petitioner had not applied correctly, his candidature was liable to be rejected, however, respondents still considered the case of the petitioner for his domicile State i.e., Madhya Pradesh though he had applied for Bilaspur, Chhattisgarh.



10. Though petitioner had filled up the form under the OBC category, he failed to produce any document to substantiate his status as OBC. Even then Respondents considered the case of the petitioner under the General category for his domicile State of Madhya Pradesh.

11. Petitioner had scored 51 marks and the cut-off marks for the OBC candidates in Madhya Pradesh zone was 64 marks and for the candidates of General category was 66 marks. Even on that count, petitioner was way below the cut-off of both the categories and not liable to be selected.

12. First of all, petitioner had filled incorrect details in his application form and had applied for a State to which the petitioner did not belong. Respondents were benevolent enough to have even considered the case of the petitioner for his domicile State, but since the petitioner did attain cut-off, he was not qualified.

13. In view of the above, we find no ground to interfere with the decision of the respondents in rejecting the candidature of the petitioner on the ground of furnishing an incorrect domicile status. This apart, petitioner attained marks much below the cut-off marks for the OBC and the General category. As such, we find no merit in the petition. The Petition is consequently dismissed

SANJEEV SACHDEVA, J

MANOJ JAIN, J



AUGUST 8, 2023/NA