

19.03.2024
SL No.1
Court No.8
(gc)

**MAT 1443 of 2023
CAN 2 of 2023**

**Minoti Mandal
Vs.
Union of India & Ors.**

Ms. Reshmi Ghosh
...for the Appellant.
Mr. Indrajeet Dasgupta,
Ms. Puspita Bhowmick
...for the Respondents.

1. The appeal is arising out of an order dated 11th April, 2023 in a writ petition in which the process of selection to the post of Constable (G.D.) in Central Armed Police Forces (CIPFs), NIA and SSP pursuant to the Assam Rifle Examination, 2018 conducted by the Staff Selection Commission (SSC) came up for consideration, *vis a vis*, the selection of the writ petitioner in the said process.
2. The affidavits filed by the Staff Selection Commission in this proceeding and also in the contempt proceeding would show that out of 62 candidates, one candidate did not join after the letter of appointment was issued. However, due to inadvertent error/mistake in filling up the form, the petitioner was not considered as SC although her status remained as SC. In view thereof, a person who had secured less mark under the same

category was given appointment and this fact surfaced almost after one year by which time the second selection process commenced. The appellant participated in the said selection process but she was found to be unsuccessful. Thereafter, she filed the writ petition. The Court could not extend the equity provided she had applied before the next selection process was initiated and concluded taking into consideration her plea that it was a *bona fide* mistake on her part.

3. Once the process is completed and that she was found to be unsuccessful in the selection process, we are unable to interfere with the order passed by the learned Single Judge.
4. The appeal fails.
5. Accordingly, the appeal and the application are dismissed.
6. However, there shall be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Soumen Sen, J.)

(Uday Kumar, J.)