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IN THE HIGH COURT OF DELHI AT NEW DELHI
W.P.(C) 5498/2024 & CM APPL. 22615/2024
VEERANKI SUBRAMANYAM

..... Petitioner

Through: Mr. Abhinay Sharma and
Ms. Kiriti Vyas, Advs.

versus

**INDIAN COAST GUARD THROUGH ITS DIRECTOR GENERAL
AND ORS**

..... Respondents

Through: Ms. Iram Majid, CGSC with
Mr. Syed Husain Taqvi and
Mr. Mohd. Suboor, Advs. for UOI

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

25.04.2024

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1. This petition has been filed by the petitioner with the following prayers:

“In the premise aforesaid, the Petitioner most humbly prays that this Hon’ble Court be pleased to: -

a) Issue an appropriate writ, order, or direction thereby setting aside/holding the action of the Respondents whereby the Petitioner was disallowed to participate in Stage-II being illegal, arbitrary, and violative of Articles 14, 16, and 21 of the Constitution of India, 1950; and/or

b) Consequentially, issue an appropriate writ, order, or direction, directing the Respondents to conduct Stage-II examination for the Petitioner subject to completion of all necessary formalities as per the procedure and; and/or

c) In the alternative to prayer (b), issue an appropriate writ, order, or direction directing the Respondents to induct the Petitioner in the subsequent batch subject to completion of



all necessary formalities as per the procedure and; and/or
d) Allow the present writ petition with exemplary compensation, costs, and litigation expenses in favor of the Petitioner; and
e) Pass any such other or further orders as this Hon'ble Court may deem fit and proper in the interest of justice and in favor of the Petitioner."

2. The submission of Mr. Abhinay Sharma, learned counsel appearing for the petitioner is that the petitioner has applied against the Recruitment Advertisement issued by the respondents for the post of Navik (General Duty) for 01/2024 batch whereby, on January 09, 2024, the petitioner was unfairly denied entry beyond the designated checkpoint by Coast Guard officials during Stage-II of the recruitment process at respondents' Head Quarters at Malkapuram, Vishakhapatnam. This denial was allegedly due to a perceived disparity / mismatch in the signature as uploaded on the Stage-II admit card.

3. According to him, despite the petitioner's repeated request, the respondents' officials failed to provide any opportunity to the petitioner to clarify the alleged discrepancy / mismatch in the signature, thereby depriving the petitioner his right to participate in the recruitment process.

4. There is no denial to the fact that the petitioner was to appear in the State-II exam on January 9, 2024. This petition has been filed by the petitioner after almost three months, effective from January 9, 2024.

5. On similar issue, in a writ petition, being **W.P.(C) 5155/2024, Ganapa Kalyan Kumar v. Indian Coast Guard & Ors.**, decided on April 9, 2024, this Court has dismissed the petition on the ground of delay and laches by stating in paragraphs 4 to 9 as under:

"4. This petition has been filed on April 05, 2024, i.e., almost



after three months from the date when the petitioner was to sit for the exam. We have been informed that after Stage-II even Stage-III examination is underway. In other words, the relief the petitioner is claiming is that he should be allowed to sit for Stage-II examination by directing the respondents to conduct the Stage-II examination separately for him.

5. We are afraid that such a prayer cannot be granted, more so, when the petitioner after January 09, 2024, had three more days to approach the Court seeking an appropriate direction, as is being sought by the petitioner today before us.

6. The petition is hit by delay and laches. No prayer as stated by the petitioner can be granted at this stage when the Stage-III Examination is underway.

*7. The learned counsel for the petitioner has relied upon the judgment of the Co-ordinate Bench of this Court in the case of **Ahire Ajinkya Shankar v. Indian Coast Guard & Ors. W.P.(C) 11857/2023** decided on **September 14, 2023**.*

8. Suffice to state that the said judgment is distinguishable on facts, more so, in view of our conclusion in this case that the petitioner having approached this Court after almost three months, from the date of cause of action, it is too late in the day for this Court to grant the relief as being sought by the petitioner in this petition.

9. The petition along with pending applications are dismissed.”

6. For parity of reasons, we find that this writ petition is also hit by delay and laches and accordingly is dismissed.

CM APPL. 22615/2024

Dismissed as infructuous.

V. KAMESWAR RAO, J

AMIT BANSAL, J

APRIL 25, 2024/aky