



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

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Date of decision: May 1, 2024

+ W.P.(C) 6128/2024, CM APPL. 25440/2024

(56) RENU TUSHIR

..... Petitioner

Through: Mr. Sarvesh Singh, Adv.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Amit Kumar, Sr. PC for UOI

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

V. KAMESWAR RAO, J. (ORAL)

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

"It is therefore most respectfully prayed that this Hon 'ble Court may graciously be pleased to:

a) issue a writ of mandamus, order or direction against the Respondents thereby seeking an opportunity to the Petitioner for her "Documents Verification" and "Medical" and any other procedure required for the selection to the post of ASI (Pharmacist) being qualified in OBC Category along with consequential benefits and ;



b) pass such other order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

c) Direct the Respondent nos. 2 to 4 to pay the cost of litigation in favour of the Petitioner;”

2. The petitioner had pursuant to the advertisement dated June 25, 2020, applied for the post of ASI (Pharmacist) in the Central Reserve Police Force which was conducted on All India basis.

3. We have been informed by Mr. Sarvesh Singh, the learned counsel appearing for the petitioner that the complete selection process comprised of Four Stages, i.e., Stage-I, Physical Standard Test (PST) and Physical Efficiency Test (PET), Stage-II, written examination, Stage-III, Trade Test and Screening of Documents and Stage-IV, Medical Examination.

4. He states, the petitioner had appeared in the Stage-II examination and was successful, but unfortunately, she was not informed in respect of Stage-III examination, i.e., Trade Test and Screening of Documents.

5. According to him, through similarly placed persons, she came to know that the Stage-III and IV examinations have been held, which has caused prejudice to her.

6. He also submits that the petitioner is entitled to a justifiable consideration for seeking appointment to the post of ASI (Pharmacist).

7. On the other hand, Mr. Amit Kumar, learned Senior Panel Counsel appearing for the respondents submits that if the petitioner has



cleared Stage-II examination and if she had not received the admit card, she was required to contact the helpline, (as seen at page 54 of the paper book). Failure to do so has deprived her of claim for future consideration.

8. He also states that the helpline number was given as 011-26160255. He further submits that it is not the case of the petitioner that she had tried to contact the respondents through helpline and she was unsuccessful.

9. In any case, it is his submission that the selection process is complete and as such no indulgence can be shown by this Court in favour of the petitioner.

10. That apart, he also submits that the Stage-II examination in which the petitioner had participated was held somewhere in the month of June 2023 and the email / legal notice was issued / sent by the petitioner only on March 28, 2024, which shows, the petitioner was not a serious candidate for the selection.

11. Having noted the aforesaid submissions, we are of the view that Clause 11 of the advertisement is very clear that in case, the petitioner had not received the admit card, she was required to contact the helpline. It is not the case of the petitioner that she tried to contact the helpline but was unsuccessful. In any case, the first representation was made in the month of March 2024, i.e. after nine months from the date of Stage-II examination held in the month of June 2023.

12. Moreover, it is the case of the respondents and as contended by their counsel that the selection process is complete. If that be so, no indulgence can be shown in favour of the petitioner.



13. In the facts of this case, we are of the view that the present petition lacks merit. The same is dismissed.

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Dismissed as infructuous.

V. KAMESWAR RAO, J

RAJNISH BHATNAGAR, J

MAY 1, 2024/aky