



2024:DHC:9786-DB



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

Date of decision: 18.12.2024

+ **W.P.(C) 13973/2023, CM APPL. 55148/2023**

SIRIBARIKI SURESH

.....Petitioner

Through: **Mr. Abhinay Sharma, Adv.**

versus

**INDIAN COAST GUARD THROUGH ITS DIRECTOR
GENERAL & ORS.**

.....Respondents

Through: **Mr. Manish Kumar, SPC with
Mr. Abhishek Gupta, Adv. and
Deputy Commandant Ratan
Negi.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioner challenging the communication dated 05.07.2022 (hereinafter referred to as 'Impugned Communication') by which the candidature of the petitioner for the post of Navik (Domestic Branch) under the advertisement for Navik (General Duty), Navik (Domestic Branch) and Yantrik 02/2022 Batch in the Indian Coast Guard, Ministry of Defence, was rejected on the ground that the petitioner had converted his Cumulative Grade Point Average ("CGPA") into marks for the 10th standard by multiplying it by 10.



2. This Court has considered similar orders rejecting the candidature of other candidates for Navik (General Duty), in its judgment in ***Rongali Naidu v. Indian Coast Guard Through Its Director General & Ors.***, 2024 SCC OnLine Del 8034, wherein, this Court held as under:

29. In the absence of a specific formula, the petitioner nos. 1 and 2 cannot be faulted for using a formula which is different from the one which the respondents would have preferred them to apply. We have also perused the guidelines set out by the Indian Coast Guard for the 02/2022 batch and find no mention of any formula for the conversion. Moreover, the respondents have failed to show what advantage the petitioners would gain in the selection process by adopting the formula adopted by them instead of the one that the respondents would have preferred them to apply. It appears that the petitioner nos. 1 and 2 have unwittingly calculated the marks obtained by them in the Class 10th examination by applying the multiplier of 10. The petitioner nos. 1 and 2, who are otherwise meritorious, cannot suffer due to a minor discrepancy and a bona fide mistake, if it is at all a mistake."

3. In view of the said judgment, the impugned communication is set aside. The respondents shall consider the case of the petitioner for appointment to the post of Navik (Domestic Branch) in accordance with its advertisement and the selection process, and pass appropriate orders in this regard within a period of four weeks from today.

4. In case, the petitioner is found to be eligible for appointment, the respondents shall allow the petitioner to join the induction course with the next batch while retaining the seniority and other



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consequential benefits along with his batchmates. However, the same shall not entitle the petitioner to the salary for the period that he has not worked.

5. The petition, along with pending application is disposed of accordingly.

NAVIN CHAWLA, J

SHALINDER KAUR, J

DECEMBER 18, 2024/ss/sk/VS

Click here to check corrigendum, if any