



2024:DHC:8149-DB



\$~50,52,55 & 58

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

Date of decision: 22.10.2024

(50)+ W.P.(C) 14763/2024

(52)+ W.P.(C) 14770/2024

(55)+ W.P.(C) 14811/2024

(58)+ W.P.(C) 14829/2024

ROHIT KUMAR AND ORS

.....Petitioners

BIPUL PAUL AND ORS

.....Petitioners

SOURAV ADHIKARY AND ORS

.....Petitioners

AJAY KUMAR AND ORS

.....Petitioners

Through: Mr.Ajay Garg, Ms.Tripti
Gola, Mr.Uday Garg, Ms.Surbhi
Soni, Mr.Ganesh Ojha, Advs.

versus

STAFF SELECTION COMMISSION & ORSRespondents

Through: Mr.Anshuman Singh, SPC,
Mr.Vidur Dwivedi, GP with
Mr.Ajay Pal, Mr.Shiv Kr.
Singh, SI-CRPF (in item
no.50).

Mr.Ajay Kr. Panday, SPC (in
item no.52).

Ms.Iram Majid, CGSC,
Mr.Mohd. Suboor, Adv. with
Mr.Shiv Kumar, SI-CRPF (in
item no.55).

Mr.Rishabh Sahu, SPC,
Ms.Rashi Mangal, GP,
Mr.Sameer Sharma, Adv. (in
item no.58).

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)



CM APPL. 62041/2024 (Exemption) in W.P.(C) 14763/2024
CM APPL. 62072/2024 (Exemption) in W.P.(C) 14770/2024
CM APPL. 62255/2024 (Exemption) in W.P.(C) 14811/2024
CM APPL. 62301/2024 (Exemption) in W.P.(C) 14829/2024

1. Allowed, subject to all just exceptions.

W.P.(C) 14763/2024 & CM APPL. 62042/2024
W.P.(C) 14770/2024 & CM APPL. 62073/2024
W.P.(C) 14811/2024 & CM APPL. 62256/2024
W.P.(C) 14829/2024 & CM APPL. 62302/2024

2. These petitions have been filed by the petitioners, challenging the rejection slips issued by the respondents, declaring the petitioners unfit for appointment in the Physical Standard Test (in short, 'PST') (height/chest) in the selection process for the post of Constable (GD) in the Central Armed Police Forces (CAPFs), Secretariat Security Force (SSF), and Rifleman (GD) in Assam Rifles - 2024.

3. The petitioners have applied for the said post pursuant to the Notice dated 24.11.2023 issued by the respondents for the appointment to the above posts. Clause 18 of the said advertisement reads as under:

*"18 **Court's Jurisdiction:** Any dispute in regard to this recruitment will be subject to courts having jurisdiction over the place of Regional Office concerned of the Commission where the candidate has appeared for the Computer Based Examination."*

4. Admittedly, none of the petitioners have appeared for the Computer Based Examination in Delhi. Their PST was also not conducted in Delhi.

5. This Court, on an objection of the respondents for lack of



territorial jurisdiction for adjudicating a petition raising a similar issue, in its Order dated 25.07.2024 passed in W.P.(C) 8480/2024, titled *Uttam Kumar v. Union of India Through Its Secretary and Others*, has held as under:

“8. Having considered the submissions of learned counsel for the parties and perused the record, we are of the considered view that once the advertisement pursuant to which the petitioner had applied contained a specific clause providing for territorial jurisdiction of the Court/Tribunal situated in the area where the test was held.

9. The petitioner cannot now be permitted to argue that the clauses mentioned in the advertisement are not binding on him. We are, therefore, of the opinion that this Court does not have territorial jurisdiction to entertain the present writ petition. The writ petition is, accordingly, disposed of, by granting liberty to the petitioner to approach the Court having territorial jurisdiction.”

6. Being bound by the above Judgment, we dispose of the present petitions, reserving the liberty of the petitioners to approach the Court of competent jurisdiction.

7. All pending applications are also disposed of.

8. *Dasti*

NAVIN CHAWLA, J

SHALINDER KAUR, J

OCTOBER 22, 2024/Arya/DG

Click here to check corrigendum, if any