



2024:DHC:8966-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of decision: 20.11.2024*

+ W.P.(C) 16064/2024

ONKAR MEENA

.....Petitioner

Through: Mr. Sahil Mongia, Adv.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Akash Chatterjee, SPC
with Mr. Ankur Yadav, Mr.
Atul Sen, Adv. with Mr. H.K.
Sourastiya, Assistant
Commandant**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE SHALINDER KAUR****NAVIN CHAWLA, J. (Oral)****CM APPL. 67481/2024**

1. Allowed, subject to all just exceptions.

2. Application stands disposed of

W.P.(C) 16064/2024 and CM APPL. 67480/2024

3. This petition has been filed by the petitioner, challenging the letter dated 04.04.2024, by which the case of the petitioner for his appointment to the post of Constable (Driver) in the Central Industrial Security Force (CISF) has been referred to the Standing Screening Committee based on a disclosure made by the petitioner that there was an FIR bearing No. 386/2021 under Sections 323/308/506 Indian Penal Code, 1860 (IPC) and Section 3(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, registered



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against him at Police Station Kakod, Bulandshahr, Uttar Pradesh.

4. It is the case of the petitioner that on 30.10.2021 itself, a final report in the nature of cancellation had been filed for the said FIR, which was later on accepted by the learned Trial Court, Bulandshahr *vide* Order dated 08.11.2024. He submits that in spite of these documents and information having been supplied to the respondents, a final decision has not been taken by the respondents and the petitioner is being denied the opportunity of undergoing the training course which needs to be undertaken post the appointment. The petitioner apprehends that this delay may result in him losing the seniority and other consequential benefits.

5. Issue notice.

6. Mr. Akash Chatterjee, learned counsel, accepts notice on behalf of the respondents.

7. Learned counsel for the respondents, on instructions, submits that the documents submitted by the petitioner are being scrutinised/verified by the Standing Screening Committee and appropriate orders shall be passed thereafter.

8. We are of the view that, as claimed by the petitioner, the cancellation report having already been filed much before the appointment process, and now having even been accepted by the learned Trial Court, the case of the petitioner needs to be expeditiously considered by the Standing Screening Committee so as to avoid further complications that may arise due to the delay caused by such consideration.

9. We, accordingly, dispose of this petition by directing the



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respondents/Standing Screening Committee to decide the case of the petitioner within a period of three weeks from today. In case the petitioner is found eligible for further process of appointment, the same shall be expeditiously processed and the petitioner shall be allowed to join the next batch of training. In that event, the petitioner shall, however, maintain his seniority and shall be entitled to all consequential benefits. In case, the decision of the Standing Screening Committee is adverse to the petitioner, it shall be open to the petitioner to challenge the same in accordance with law.

10. The petition, along with pending application, is disposed of in the above said terms.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 20, 2024
SU/SK/VS

Click here to check corrigendum, if any