
(2023) 08 DEL CK 0098

In the Delhi High Court

Case No : Civil Writ Petition No. 8233 Of 2023, Civil Miscellaneous Application
No. 31592 Of 2023

Adithyan S

APPELLANT

Vs

Union Of India And Or

RESPONDENT

Date of Decision : 10-08-2023

Acts Referred:

Citation : (2023) 08 DEL CK 0098

Hon'ble Judges : Sanjeev Sachdeva, J;Manoj Jain, J

Bench : Division Bench

Advocate : Manoj Kumar Gupta, Aakanksha Kaul, Versha Singh, Aman Sahani

Final Decision : Dismissed

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks a direction to the respondents to permit the petitioner to join the post of Labour as per merit as also to disclose the cut off mark of Labour Trade and disclose the merit position of petitioner.

2. Petitioner had applied for the post of Labour in Group-C against the vacancy circulated in August-September, 2021 by Army Service Core Centre (South). Petitioner contends that he has cleared the written examination as well as the physical test. However, appointment letter has not been issued to petitioner. He further submits that an application under the Right to Information Act was moved. However, no response has been received thereto.

3. Learned counsel appearing for the respondents submits that the RTI application was duly responded to on 17.01.2023 to the PIO and subsequently on 21.01.2023, a letter was written to petitioner by the PIO informing petitioner that he had not been selected in the final merit list. It was also informed that the applicants, who had obtained 78% and above in the unreserved category had been selected and petitioner had obtained only 44.50% marks. Copy of letter dated 17.01.2023 addressed to the PIO, ASC Centre (South) and copy of letter

21.01.2023 addressed to petitioner along with an extract of the postage register has been produced to show that letter was posted to petitioner on 23.01.2023.

4. Copy of the documents has been furnished to learned counsel for petitioner also. Same are produced in Court and are taken on record.

5. Since the petitioner secured only 44.50% marks and the cut-off for the unreserved category ended at 78%, petitioner has not qualified in the final list as such there is no question of the respondent permitting the petitioner to join the post of Labour. Further petitioner has already been communicated his marks and the cut-off marks of the Labour Trade.

6. We find that no relief can be granted to petitioner. However, the contentions of learned counsel for petitioner that petitioner did not receive the response to the RTI application no longer survives because the copy of the documents has now been furnished to the petitioner.

7. We find no merit in the petition. The petition is accordingly dismissed.