

(2014) 01 PAT CK 0107
In the Patna High Court
Case No : CWJC No. 1114 of 2014

Amit Kumar

APPELLANT

Vs

The Staff Selection Commission

RESPONDENT

Date of Decision : 17-01-2014

Acts Referred:

Citation : (2014) 3 PLJR 437

Hon'ble Judges : Chakradhari Sharan Singh, J

Bench : Single Bench

Advocate : Awadhesh Kumar Mishra, Advocate for the Appellant; N.A. Sharhsi, Advocate for the Respondent

Judgement

Chakradhari Sharan Singh, J.—Heard learned counsel for the petitioner and learned Assistant Solicitor General appearing on behalf of the Respondent. The petitioner seeks a direction to the Respondent to issue appointment letter to the petitioner for the post of constable C.R.P.F. or any of the central police forces for which applications were invited through advertisement in the year 2011.

2. The case of the petitioner is that he had participated in a test conducted through the Staff Selection Commission (C.R.), Allahabad, in this regard and he was declared successful. His further case is that in spite of selection, the appointment letter was not issued to him. When he contacted the authorities of Staff Selection Commission, he was informed that since he did not fill up the space in his application where he was required to mention the choice of his post, the appointment letter could not be issued in his favour.

3. Learned counsel appearing on behalf of the Respondents submits that there were so many posts vacant and the petitioner's case should have been considered against any such post by the Staff Selection Commission.

4. It appears that the process of selection was completed in the year 2011 itself whereas the present writ application has been filed in the year 2014. There is no cogent explanation as to what the petitioner doing during all these years.

Secondly, even if, the contention of the petitioner is accepted that he was finally selected for appointment to the post of Constable and was placed in the panel prepared in the year 2011, after a lapse of three years, no appointment can be made on the basis of such panel as the panel must have lost its force by now. Lastly, petitioner has not denied the fact that he didn't fill up the required space in his application mentioning the name of the post against which he had applied. In such circumstance, the decision of the Commission cannot be faulted with. This order however, will not come in way of Staff Selection Commission taking any final decision of the petitioner's case, if it is found that his name could be recommended lawfully, against the posts advertised in the said advertisement.