

(2010) 02 JH CK 0021
In the Jharkhand High Court

Sanjay Kumar Pandey and Others

APPELLANT

Vs

The Union of India (UOI)

RESPONDENT

Date of Decision : 25-02-2010

Acts Referred:

Citation : (2010) 02 JH CK 0021

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

R.K. Merathia, J.—This writ petition has been filed by the petitioners for a direction on the respondents to issue them appointment letters for the post of Constable (G.D.) on the ground that they have qualified in all the test/examinations

2. It is submitted on behalf of petitioners that advertisement in question was published inviting the applications to the Constable (G.D.) from the candidates belonging to Bihar and Jharkhand State. Petitioners, being residents of Jharkhand, applied against such advertisement and they passed all test/examinations and there was no irregularity or deviation in such process so far as petitioners are concerned but even then they have not been given appointment and for that no reasons have been assigned. It is further submitted that instead of issuing appointment letters to the petitioners again advertisement had been issued on 6.7.2009 for filling up the said posts which was challenged by the petitioners by filing I.A. 2584 of 2009 as petitioners might not be eligible for appearing in the fresh section process on account of having crossed the age limit.

3. On the other hand, learned Counsel for the respondents, referring to the counter affidavit, submitted that earlier recruitment process was cancelled on administrative ground. In the advertisement itself it was clearly said that the recruitment process can be partially or wholly cancelled if any irregularity or deviation is discovered in conduct of recruitment process without assigning any

reason and without entertaining any claim. Moreover, the earlier recruitment process was cancelled on 28.5.2009 prior to conducting of medical examination and therefore, the petitioners cannot claim that they were qualified in all respects. The earlier recruitment process for Bihar and Jharkhand was conducted under overall supervision of Inspector General of Police, Bihar Sector, C.R.P.F. Patna and the case of petitioners belonging to State of Jharkhand is equated with the candidates belonging to the State of Bihar with respect to the conduct of the examinations held in both the State separately. It is also submitted that earlier recruitment process was started in December 2008. It was cancelled on 28.5.2009 and fresh advertisement was published on 6.7.2009, Thus there was no unreasonable delay on the part of the Respondents. Petitioners' claim that they might have crossed age limit by the time second advertisement was issued is wholly untenable. It is lastly submitted that even a selected candidate has got no right to claim appointment. The judgment reported in Divisional Forests Officers and Others Vs. M. Ramalinga Reddy, was relied.

4. After hearing the parties, I find no merit in this writ application. Earlier selection process was cancelled due to administrative reasons even before holding medical examination. It cannot be disputed that selection process can be cancelled or abandoned for administrative reasons which are not required to be disclosed to the candidates. It is also settled position that even a selected candidate does not acquire right to claim, appointment.

In the result, this writ petition is dismissed including I.A. 2584 of 2009. However, no costs.