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

+ **W.P.(C) 9675/2018 & CM APPL. 37658/2018**

PARVEEN KUMAR

..... Petitioner

Through: Mr. Alakh Alok Srivastava and
Mr. Chandan Kumar Singh,
Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Akshay Makhija, CGSC with Ms.
Seerat Deep Singh and Mr. Ankit
Tyagi, Advocates for UOI.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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31.10.2018

1. The Petitioner is before the Court seeking to set aside the impugned letter dated 16th August 2018 issued by the Head Quarters of the Madras Engineer Group and Centre, Indian Army/Respondent No.3 stating that despite two reminders to the Petitioner to produce documents before May 2018 for recruitment in Soldier-General Duty (SOL-GD) under the Sportsman category; he had failed to do so. It further stated that since the time period for enrolment under recruiting year 2017-18 had already lapsed, he was requested to apply for the next recruitment rally scheduled from April 2019. The Petitioner was informed that his candidature will be considered for the next rally provided the documents submitted by him “are as per prevailing policy”.

2. The letter notes that although the screening of the Petitioner was done for the 'Rowing' discipline, the merit certificate produced by him pertained to the discipline of 'Kabbadi'. The Petitioner states that he was first handed the letter dated 18th April 2018 requiring him to produce certain documents for finalization of recruitment by 8th May 2018, issued by the Respondents, only on 6th May 2018, while he was still undergoing training in Bangalore. He states that upon receipt of the said letter, he immediately took a train to his home situated at District Alwar, Rajasthan. However, he only reached his home on 8th May 2018 by which time the last date for submission of the documents had elapsed.

3. What the Petitioner did next is the issue that requires to be considered. Instead of immediately reverting to the Respondents with the certificates required to be submitted by him, he claims to have stayed back home to take care of his ailing grandfather. Till 10th August 2018 i.e. three months after reaching home, he did not revert to the Respondents.

4. The Petitioner wants this Court to consider favourably the explanation offered by him for the delay in submitting the certificates and reverting to the Respondents. Having heard learned counsel for the Petitioner, the Court is not persuaded to do so. The least the Petitioner could have done was to inform the Respondents soon after reaching home that he had the certificates with him ready for submission and even if he had to stay back for some reason, he should have dispatched those certificates to the Respondents for their consideration immediately upon reaching home. The conduct of the Petitioner is inconsistent with what was required of him in the matter of

submission of the requisite certificates.

5. The Court does not find the decision impugned in the present petition to be unreasonable or warranting interference.

6. The petition and application are dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

OCTOBER 31, 2018/nk