



2025:DHC:1439-DB



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

Date of decision: 04.03.2025

+ W.P.(C) 5430/2021 & CM APPL. 16840/2021

KARAN SINGH

.....Petitioner

Through: Mr. Anuj Aggarwal and Mr.
Vikrant Chawla, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Jitesh Vikram Srivastava,
SPC with Mr. Prajesh Vikram
Srivastava, Adv. and SI Shiv
Kumar Singh and ASI Sanjeev
Kumar Singh, CRPF.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioner praying for a direction to the respondents to issue an appointment letter to the petitioner for the post of Constable (General Duty)..

2. It is the case of the petitioner that pursuant to the Notice seeking applications for appointment to the post of Constable (GD) in the Central Armed Police Forces (CAPFs), NIA & SSF and Rifleman (GD) in Assam Rifles (AR) Examination, 2018, the petitioner applied



for the said post. The petitioner claims that as he was not aware of the manner in which a computer is to be operated, he had gone to a Cyber Cafe to get his online application form filled and submitted. The petitioner claims that the Computer Operator, however, made an inadvertent error while filling up the application form, and instead of filling up the District as 'South 24 Parganas', being the petitioner's permanent/domicile address, the Computer Operator filled up the District as 'Paschim Bardhaman', being the district from where the application form was being uploaded. As a result, the candidature of the petitioner was rejected due to mismatch of Domicile Certificate.

3. The learned counsel for the petitioner submits that at the time of document verification, however, the petitioner was carrying his Domicile Certificate, which show him to be a permanent resident of District South 24 Parganas, as also an Ordinary Residential Certificate dated 29.07.2019, which show him to be an ordinary resident of District Paschim Bardhaman. He submits that either way, the petitioner was successful in the said examination and gained no benefit out of this inadvertent mistake of the Computer Operator.

4. Placing reliance on the judgment of this Court in *Arkshit Kapoor v. Union of India & Ors.*, 2017 SCC OnLine Del 10154, he submits that for such an inadvertent *bona fide* error, the candidature of the petitioner should not have been cancelled.

5. On the other hand, the learned counsel for the respondents submits that in the advertisement itself, the candidates have been warned that any mistake in filling up the application, even as far as the



district of the domicile is concerned, will not be allowed to be corrected by the Staff Selection Commission after submission of the application form, and if there is any variation in the district mentioned by the candidate in the online application form and the domicile certificate submitted by the candidate at the time of document verification, the candidature will be cancelled.

6. He submits that the judgment of *Arkshit Kapoor* (supra) would not help the petitioner inasmuch as this was not an innocuous mistake of filling up of a digit, but instead, the name of the domiciled district itself was wrong, despite the candidates having been warned.

7. We have considered the submissions made by the learned counsels for the parties.

8. There is no dispute that as per the Domicile Certificate produced by the petitioner, he is a resident of District South 24 Parganas, West Bengal, while in the application form he has filled his District of Domicile as Paschim Bardhaman, for which he admittedly does not have a Domicile Certificate but only an Ordinary Residential Certificate. Though it may be only an innocuous inadvertent mistake in filing up the application form, as contended by the learned counsel for the petitioner, however, the Notice issued by the respondents clearly warned the candidates that even for such a mistake, their candidature can be cancelled. We reproduce Clause 11 (xi) of the notice as under:-

“11. MODE OF SELECTION:

xxxx

(xi) Candidates will be considered for the vacancies of a State/ UT and further for the



*vacancies of Border Guarding Districts, Militancy/ Naxal affected Districts based on the information provided by them in the online Application Form and subsequent submission of relevant Domicile Certificate at the time of DME/ Document Verification. **CANDIDATES ARE ADVISED TO BE VERY CAREFUL AND SHOULD EXERCISE DUE DILIGENCE WHILE PROVIDING INFORMATION ABOUT DOMICILE STATE AND DISTRICT IN THE ONLINE APPLICATION FORM. NO REQUEST FOR CHANGE OF DOMICILE STATE AND DISTRICT WILL BE ENTERTAINED BY THE COMMISSION AFTER SUBMISSION OF APPLICATION FORM UNDER ANY CIRCUMSTANCES. IF THERE IS ANY VARIATION OF DISTRICT AND/ OR STATE MENTIONED BY THE CANDIDATE IN THE ONLINE APPLICATION FORM AND THE DOMICILE CERTIFICATE SUBMITTED BY THEM AT THE TIME OF DME/ DOCUMENT VERIFICATION, THEIR CANDIDATURE WILL BE CANCELLED FORTHWITH AND THEY WILL NOT BE ALLOWED TO PARTICIPATE IN DETAILED MEDICAL EXAMINATION.***

9. In fact, the above warning has been put in bold and capital letters in the Notice/Advertisement itself so that the candidates do not miss the same.

10. Though the learned counsel for the petitioner submits that the petitioner would not stand to gain anything by the mistake in his District of Domicile, however, we would not ignore the above condition for this reason alone, as for the same mistake, there may be others who have been similarly declared to be disqualified. Granting benefit to the petitioner would, in fact, amount to doing injustice to the



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other similarly situated candidates as the rules of the game would stand changed post the declaration of the result.

11. In *Arkshit Kapoor* (supra), the Court was considering a case wherein the petitioner therein had inadvertently filled up his date of birth as 07.09.1998 instead of 17.09.1998. The Court found that with either of the dates, the petitioner met the cut-off age criteria. In those peculiar facts, the Court held that for such an inadvertent error, the petitioner therein should not be made to suffer. However, in the present case, it is not merely a mistake in a digit, but the name of the District of Domicile itself has been wrongly filled. The petitioner should have been more vigilant in submitting his application form, especially when the candidates had been warned in the Notice of Advertisement that any mistake therein would result in disqualification.

12. For the reasons stated hereinabove, we find no merit in the present petition. Accordingly, the same, along with the pending application, is dismissed.

NAVIN CHAWLA, J

SHALINDER KAUR, J

MARCH 4, 2025/ss/frk/SJ

Click here to check corrigendum, if any