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

Date of Decision: 13th November, 2025

\+ W.P.(C) 3441/2019

RAMU .....Petitioner

Through: Mr. Siddharth Nath, Mr. Anunay Chowdhary and Mr. Asjad Hussain Advs.

versus

STAFF SELECTION COMMISSION AND ANR. .....Respondents

Through: Ms. Archana Gaur, Ms Ridhima Gaur and Ms. Bhoomi Sharma, Advocates. Insp. Athurv CRPF, Mr. Inderpal and Mr Ramniwas Yadav CRPF.

CORAM:
HON'BLE MR. JUSTICE DINESH MEHTA
HON'BLE MR. JUSTICE VIMAL KUMAR YADAV

ORDER (ORAL)

DINESH MEHTA, J.

1. By way of the present writ petition, the Petitioner has challenged rejection of his candidature for the post of Constable (GD) advertised vide notice dated 24.01.2015.

2. The Petitioner had submitted his application form on 04.02.2015 claiming himself to be an Other Backward Class ('OBC') candidate. At the time of medical/document verification, he produced an OBC certificate dated 26.02.2015. He was asked to appear in the Physical Standards Test ('PST') as well as the Physical Efficiency Test ('PET'), which he cleared.

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3. When his medical examination was conducted on 11.05.2016, according to the Petitioner, he was orally informed that he had cleared the same, however, by way of communication dated 27.04.2017, he was declared medically unfit.

4. The Petitioner, thereafter, moved an application under the Right to Information Act, 2005 and was informed that his candidature had been rejected for being overage.

5. Learned counsel for the Petitioner argued that rejection of Petitioner's candidature on account of being overage, is clearly illegal and contrary to law, as the Respondents had not considered the age relaxation which the Petitioner was entitled to on the basis of him being an OBC candidate.

6. Learned counsel further submitted that since the Petitioner was an OBC candidate and he had furnished his OBC certificate dated 26.02.2015, it was incumbent upon the Respondents to have considered his OBC certificate.

7. Learned counsel for the Petitioner fairly submitted that true it is, that classification of a candidate like the Petitioner (Jat of Bharatpur) to be an 'OBC', has been declared to be contrary to law by Hon'ble the Supreme Court vide its judgment in the case of ***Ram Singh v. Union of India, (2015) 4 SCC 697, decided on 17.03.2015***, but submitted that the Petitioner is entitled as per the clarification which Hon'ble the Supreme Court later on, issued on 12.04.2016.

8. Learned counsel for the Respondent/Union of India, on the other hand, argued that the Petitioner is not entitled to claim the benefits under the category of 'OBC' in Central Services, as Jats are not entitled to claim

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reservation. She added that in relation to Jats of Bharatpur Region of Rajasthan even in Rajasthan, they are not entitled to claim reservation and therefore, the judgment passed by Hon'ble the Supreme Court in the case of ***Ram Singh (Supra)***, decided on 17.03.2015, squarely covers the controversy.

9. The learned counsel for the Respondents submitted that the OBC certificate which the Petitioner had granted, was otherwise, not considered by the Respondents on account of being 'mismatched'.

10. Heard learned counsel for the parties.

11. The fact that the Petitioner had applied for the post of Constable (GD) as notified by Union of India, is not in dispute. So far as the Petitioner's candidature, being Jat of Bharatpur is concerned, the same cannot be considered. He cannot be considered eligible in light of the judgment dated 17.03.2015 rendered by Hon'ble the Supreme Court.

12. So far as the clarification issued vide subsequent order dated 12.04.2016 by Hon'ble the Supreme Court is concerned, on perusal of the same, we are of the view the same does not help the Petitioner's cause inasmuch as the case of ***Ram Singh (Supra)***, specifically deals with the recruitment involved therein.

13. That apart, the Petitioner's reliance upon the subsequent clarification dated 12.04.2016, claiming himself to be covered by second category is untenable in law.

14. The second category of the eligible candidates in which the above clarification has been made applicable and the candidates are entirely different-being the candidates who had commenced the diploma/training

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course in banking prior to the date of the judgment.

15. Needless to observe, that the facts involved in the case of ***Ram Singh (Supra)***, those candidates have commenced their diploma prior to the date of judgment dated 17.03.2015 as 'OBC' candidates and hence, rights of such candidates were saved. Whereas, in the present facts, it is not anybody's case that the Petitioner was given any sort of training or he was issued any appointment order by the Respondents.

16. That apart, if the Petitioner's case is examined closely, it is apparent that the OBC certificate of the Petitioner produced was of 26.02.2015, whereas the last date for submitting application form was 23.02.2015. According to us, such certificate having been issued post the last date of furnishing the application form, could not have been considered in the light of following judgments rendered by Hon'ble the Supreme Court in the case of ***Ashok Kumar Sharma & Ors vs. Chander Shekhar & Anr, (1997) 4 SCC 18*** and ***Rekha Chaturvedi vs. University of Rajasthan, (1993) Supp (3) SCC 168.***

17. For the reasons aforesaid, we do not find any merit and substance in the writ petition instant. Same is hereby dismissed.

DINESH MEHTA, J

VIMAL KUMAR YADAV, J

NOVEMBER 13, 2025/*akc*

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