



2025:DHC:384-DB



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

Date of decision: 24.01.2025

+ W.P.(C) 11991/2023
SAHIL SINGH

.....Petitioner

Through: Dr. Mrs. Vipin Gupta,
Mr.Krishna Kumar,
Mr.Suryansh Gupta, Adv.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr.Subhash Tanwar, CGSC,
Mr.Sunder P. Mishra, Ms.Bhavi
Garg, Mr.Naveen, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE MANOJ JAIN

NAVIN CHAWLA, J. (Oral)

1. This petition has been filed by the petitioner, praying for a direction to the respondents to add the marks for the "NCC-A Certificate" of the petitioner and issue a fresh score card of the petitioner, and if found to make the merit list, appoint the petitioner to the post of Constable (GD) pursuant to the Central Armed Police Forces (CAPF's), SSF, Rifleman (GD) in Assam Rifles and Sepoy in Narcotics Control Bureau Examinations-2022.

2. It is the case of the petitioner that when the petitioner was filling up his application form for the above post, there was some issue of the server of the respondents due to which he was unable to upload his "NCC-A Certificate" issued by the Directorate of National



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He further submits that the Recruitment Notice in Clause 7.5.1, clearly warned the candidates that the benefit of incentive/bonus mark would be provided only to candidates who had opted for incentive/bonus mark for the “NCC-A Certificate” in the online application and confined to the production of the original certificate supporting the candidates claim at the time of verification. He submits that therefore, the petitioner, not having claimed the incentive/bonus mark in his online application, was rightly not granted the same. Placing reliance on the Judgment of the Supreme Court in *State of Bihar & Ors. vs. Madhu Kant Ranjan & Anr.*, (2021) 17 SCC 141, he submits that in a similar case, the Supreme Court rejected the claim of a candidate and held that bonus marks should not be granted to a candidate who has not opted for the same in the application form.

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

7. In the present case, it is not denied by the petitioner that the petitioner did not claim the bonus marks as provided in the Recruitment Notice for the candidates having a “NCC-A Certificate”. In fact, the respondents have produced before us the Application Form submitted by the petitioner, which clearly, in answer to Clause 16.1, states that the petitioner does not hold a “NCC-A Certificate”. Clause 7.5.1 of the Recruitment Notice clearly stipulates that the benefit of the incentive/bonus mark will be provided only to the candidate who had opted for the same in the online application. We reproduce the same as under:



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“7 Educational Qualifications (As on 01-01-2023):

xxx

7.5.1 The benefit of incentive/Bonus marks will only be provided to a candidate who has opted for bonus marks/ incentive for 'NCC certificate' in online application.”

8. The petitioner having not opted for the same, cannot now be granted the said benefit.

9. The Supreme Court in ***Madhu Kant Ranja*** (supra), considering a similar plea of the respondents therein (candidates), rejected the same by observing as under:

“11. As per the settled proposition of law, a candidate/applicant has to comply with all the conditions/eligibility criteria as per the advertisement before the cut-off date mentioned therein unless extended by the recruiting authority. Also, only those documents, which are submitted alongwith the application form, which are required to be submitted as per the advertisement have to be considered. Therefore, when the respondent No.1 – original writ petitioner did not produce the photocopy of the NCC ‘B’ certificate alongwith the original application as per the advertisement and the same was submitted after a period of three years from the cut-off date and that too after the physical test, he was not entitled to the additional five marks of the NCC ‘B’ certificate. In these circumstances, the Division Bench of the High Court has erred in directing the appellants to appoint the respondent No.1 – original writ petitioner on the post of Constable considering the select list dated 08.09.2007 and allotting five additional marks of NCC ‘B’ certificate.”

10. In ***Vashist Narayan Kumar*** (supra), the Supreme Court was

