

Athul U., vs Union of India,

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SooperKanoon Citation : sooperkanoon.com/1399293

Court : Kerala

Decided On : Apr-13-2023

Judge : Honourable Mr.Justice S.V.Bhatti,Honourable Mr.Justice Basant Balaji

Appeal No. : WP(C)/36142/2022

Appellant : Athul U.,

Respondent : Union of India,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WA NO. 1498 OF 2022 AGAINST THE JUDGMENT IN WP(C) 16949/2021 OF HIGH COURT OF KERALA

APPELLANTS: 1 THE UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF HOME AFFAIRS, NORTH BLOCK, NEW DELHI, PIN - 110001 2 THE MINISTRY OF HOME AFFAIRS, REPRESENTED BY ITS SECRETARY, NORTH BLOCK, NEW DELHI, PIN - 110001 3 STAFF SELECTION COMMISSION, REPRESENTED

BY ITS REGIONAL DIRECTOR (KERALA -KARNATAKA REGION), 1ST FLOOR, E WING, KENDRIYA SADAN, KORAMANGALA, BENGALURU, KARNATAKA, PIN - 560034 4 ASSAM RIFLES, REPRESENTED BY DEPUTY COMMANDANT, DIRECTORATE GENERAL, ASSAM RIFLES, SHILLONG , PIN - 793010 5 REVIEW MEDICAL BOARD, REPRESENTED BY ITS PRESIDING OFFICER, CONSTABLES (GD) EXAMINATION, 2018, GROUP CENTRE, CENTRAL RESERVE POLICE FORCE, PALLIPURAM, THIRUVANANTHAPURAM, PIN - 695316 6 DIRECTORATE GENERAL, CRPF (RECRUITMENT BRANCH), EAST BLOCK - 07, LEVEL-4, SECTOR - 01, R. K. PURAM, NEW DELHI, PIN - 110066 BY ADVS. -2- SRI. R SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU DSGI, CGC DAYA SINDHU SREEHARI N S RESPONDENTS: 1 PARVATHY S. SHAJI, AGED 22 YEARS D/O. SHYLA, ROLL NO.9211016222, CHITHIRA, KIZHAVOOR, MUKHATHALA P. O., KOLLAM, PIN - 691577 2 AKHIL M., AGED 25 YEARS S/O. MADHAVANKUTTY, ROLL NO.9211015233, ANOOP BHAVANAM, SRPM P. O., THAZHAVA, KOLLAM, PIN - 690523 3 SWATHY S., AGED 24 YEARS D/O. SAJEEV B., ROLL NO.9211019423, THOTTUVAVEEDU, KANNIMEEL CHERRY, KAVANAD P. O., KOLLAM, PIN - 691003 4 ATHIRA SUNILKUMAR AGED 24 YEARS D/O. SUNILKUMAR, ROLL NO.9204010362, VILAYIL HOUSE,ERATTAYAR, ERATTAYAR P. O., IDUKKI, PIN - 685514 5 DIANA JOSEPH AGED 22 YEARS D/O. JOSEPH MATHAI, ROLL NO.9211021986, THURUTHI,MEPPARATHU VEEDU, KALLAYAM P. O., THIRUVANANTHAPURAM, PIN - 695043 6 AKHIL V., AGED 24 YEARS S/O. VIYAYAN, ROLL NO.9206019355, CHANGAYIL,THEKKATHIL -3- THEKKEMURI, VALLIKUNNAM P. O., ALAPPUZHA, PIN - 690501 7 MAHESH BALAKRISHNAN AGED 26 YEARS S/O. BALAKRISHNAN K. , ROLL NO. 9212002741, USHUS, KALLAMPARAMBU, PAZHAYANNUR PO, THRISSUR, PIN - 680587 8 ADITYA K. AGED 26 YEARS D/O. PUSHPA, ROLL NO.9206021166, ASHITHAM HOUSE, PALABAZAR, PATHAYAKUNNU P. O., KANNUR,

PIN - 670691 9 MINNU M. AGED 22 YEARS D/O. MANJU R., ROLL NO.9211017917, THADATHARIKATHUVEEDU, KUTTIMOODU, VELLUMANNADY P. O., VENJARAMOODU, TRIVANDRUM, PIN - 695607 10 ABHISHEK DAS S. AGED 25 YEARS S/O. SIVADAS KURUP, ROLL NO.9211013796, CHITTAKKATTU THEKKATHIL, SOUTH MYNNAGAPALLY, MYNNAGAPALLY P. O., KOLLAM, PIN - 695519 11 ANANDHU RAJEEV AGED 24 YEARS S/O. RAJEEV, ROLL NO.9211005307, LAKSHAM VEEDU, PATHADY, BHARATHIPURAM P. O., KOLLAM, PIN - 691312 12 SACHIN S. AGED 22 YEARS S/O SURESH KUMAR G., ROLL NO.9211007542, THIRUVONAM, KULATHINKALAVEEDU, VELLANADU P. O., THIRUVANANTHAPURAM, PIN - 695543 13 VISHNU N.S. AGED 23 YEARS S/O. SAJEEVAN N. K., ROLL NO.9212004004, NADUVATHARA HOUSE, -4- KUNDUKUZHIPADAM, KUTTICHIRA P. O., THRISSUR, PIN - 680724 14 SREEPTH A.S AGED 22 YEARS S/O. SUBRAMANIAN A. A., ROLL NO.9212007021, ACHI HOUSE, ENGANDIYUR P. O., THRISSUR, PIN - 680615 15 SAJITH MOHAN AGED 25 YEARS S/O. MOHANAN M., ROLL NO.9206015063, UDAYANAGAR, PULLUR, HARIPURAM P. O., KASARGOD, PIN - 671531 16 AKHIL MOHAN AGED 26 YEARS S/O. MOHAN PILLAI T., ROLL NO.9211017147, GEETHABHAVANAM, CHERIYELA, ALUMODU P. O., KOLLAM, PIN - 671531 17 GOKUL R. AGED 24 YEARS S/O. RAJAN, ROLL NO.9204004255, NELLIKKATTUPARAMBU HOUSE, NSS COLLEGE POST, NEMMARA, PALAKKAD, PIN - 678508 18 SREERAJ R. AGED 24 YEARS S/O. RAJASEKHARAN K., ROLL NO.9211013303, SREEHARIKOCHUKIZHKKATHIL, VIVEKANANDHA NAGAR 63, KUREEPUZHA, KAVANADU P. O., KOLLAM, PIN - 691503 19 LEKSHMI RAJESH AGED 21 YEARS D/O. RAJESH S., ROLL NO.9204007808, KATTUNGALCHIRA, ALLISSERY WARD, ALAPPUZHA, PIN - 688001 20 MANOJ M. AGED 26 YEARS S/O. MURALEDHARAN K., ROLL NO.9211007242, ELANJICKAL, KARUMADY P. O., AMBALAPPUZHA, PIN - 688561 -5- 21 UMITHA KRISHNAN AGED 22 YEARS D/O. UNNIKRISHNAN, ROLL

NO.9211019482, PERILATHU, PRAYAR SOUTH, ALIMPEEDIKA P. O., OACHIRA, KOLLAM, PIN - 690547 22 SUBIN S.DEVAN AGED 21 YEARS S/O. SISUDEVAN, ROLL NO.9211000150, KARUMPPALIL, THEKKATHIL, PADA-SOUTH, KARUNAGAPPALLY, PIN - 690518 23 KIRAN N.K. AGED 24 YEARS S/O. NEELAMBHARAN NAIR, ROLL NO.9211006575, KARTHIKABHAVAN, KEEZHATHOTTAM, PRASSALA P. O., THIRUVANANTHAPURAM, PIN - 695502 24 VISHANTH E.A AGED 24 YEARS S/O. ANANTHAKRISHNAN, ROLL NO. 9212007676, ERUMBENIPARAMBU HOUSE, MYLAMPULLY, NAMBULLIPURA, MUNDUR, PALAKKAD, PIN - 678592 25 AKSHITHA V.P. AGED 22 YEARS D/O. RAVEENDRAN A. C., ROLL NO.9206000088, ELATH HOUSE, EAST VALLIYAYI, MUTHIYANGA P. O., PATHAYAKKUNNU, (VIA), KANNUR, PIN - 670691 26 ABHIJITH AGED 24 YEARS S/O. AJAYAKUMAR B. S., ROLL NO.9211016687, VALSALA SADHANAM, CHIPPANCHIRA, KARIMANCODE P. O., PALODE, THIRUVANANTHAPURAM, PIN - 695562 BY ADVS. R.SANJITH KALEESWARAM RAJ C.S.SINDHU KRISHNAH(K/942/2008) UTHARA A.S -6- C.UNNIKRISHNAN (KOLLAM)(K/864/1994) VIJAYKRISHNAN S. MENON(K/001627/2019) ANANDA PADMANABHAN(K/597/2017) REENA SHARON SURESH K.P.S.SURESH(MP/366/2015) THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13.04.2023, ALONG WITH WP(C).4646/2022, 6955/2023 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -7-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WP(C) NO. 4646 OF 2022 PETITIONERS: 1 SOORAJ P, AGED 25 YEARS S/O. SAHEDEVAN P, RESIDING AT KRISHNA NIVAS, PERINGANAM, THILLENKERI, KANNUR, KERALA 670 702 2 VINOD K., AGED 25 YEARS S/O. MOHANAN, RESIDING AT KAPPADAN HOUSE,

VARADOOL, MUYYAM, KURUMATHUR, KANNUR, KERALA 670 142 3
NAVAS MUHAMMED P.T AGED 25 YEARS S/O. MUHAMMED P.T,
RESIDING AT PUZHAKKALTHODI HOUSE, MAITHRA, URANGATTIRI
P.O, MALAPPURAM, KERALA 673 639 4 ABIN E AGED 27 YEARS S/O.
MOHANAN, RESIDING AT ELIANTAVIDA HOUSE, KOORARA,
MOKERI, KANNUR, KERALA 670 694 5 VIJESH V AGED 25 YEARS
S/O. MOHANAN, RESIDING AT CHERUKARASSERIL,
MARAVOORMURI, EAST KALLADA P.O, KOLLAM, KERALA 691 502 -
8- 6 JASAR E AGED 27 YEARS S/O. JALALUDHEEN E, RESIDING AT
ELAMVILASSERI, MAMBATTUMoola P.O, MALAPPURAM, KERALA
679 332 7 AMALRAJ R.B AGED 25 YEARS S/O. RAJENDRAN,
RESIDING AT R.B NIVAS, CHEKKITTAMUKKU, MATHIRA, KUMMIL
P.O, KOLLAM , KERALA 691 536 8 AKSHAY KRISHNA K.P AGED 20
YEARS S/O. NISHAD KUMAR K.P, RESIDING AT
KATTUPARAMBATHU HOUSE, KONDI PARAMBU, ARAKINNAR P.O,
KOZHIKODE, KERALA 9 AMAL CHANDRAN AGED 26 YEARS S/O.
CHANDRAN P.K, RESIDING AT PADAYANKUDI, PERINGANAM,
THILLENKERI P.O, KANNUR, KERALA 670 702 10 SREEVIN M.P
AGED 25 YEARS S/O. SREEDHARAN M.P RESIDING AT
MEETHALEPURAYIL , VILAKKODE P.O, KANNUR, KERALA 670 703
11 AMAL P.M AGED 23 YEARS S/O. MOHANAN P.R, RESIDING AT
PULUKKI HOUSE, MUNDAYAMPARAMBA, AYYANKUNNU,
MUNDAYAMPARAMBA P.O, KANNUR, KERALA 670 704 12 ANURAG
M.S AGED 22 YEARS S/O. MOHANAN S, RESIDING AT ANURAGAM,
MUTHUVILA P.O, THIRUVANANTHAPURAM, KERALA 695 610 BY
ADVS. NAVOD PRASANNAN PATTALI -9- K.V.KRISHNAKUMAR
RESPONDENT/S: 1 UNION OF INDIA REPRESENTED BY ITS
SECRETARY, MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE AND
PENSION, DEPARTMENT OF PERSONAL AND TRAINING, NORTH
BLOCK, NEW DELHI 110 001 2 MINISTRY OF HOME AFFAIRS
REPRESENTED BY ITS SECRETARY, NORTH BLOCK, NEW DELHI
110 3 STAFF SELECTION COMMISSION REPRESENTED BY ITS
REGIONAL DIRECTOR (KKR) 1ST FLOOR, E WING, KJENDRIYA

SADAN, KORAMANGALA, BENGALURU, KARNATAKA 560 034 4
CENTRAL ARMED POLICE FORCES REPRESENTED BY JOINT
SECRETARY, (COORDINATION AND INTERNATIONAL
COOPERATION) MINISTRY OF HOME AFFAIRS, NORTH BLOCK,
NEW DELHI 110 001 5 BORDER SECURITY FORCE REPRESENTED
BY ITS DIRECTOR GENERAL, BLOCK 10, CGO COMPLEX, LODHI
ROAD, NEW DELHI 110 003 6 CENTRAL RESERVE POLICE FORCE
REPRESENTED BY ITS DIRECTORATE GENERAL, EAST BLOCK 07,
LEVEL 04 SECTOR 01 R.K PURAM, NEW DELHI 110 066 7 CENTRAL
INDUSTRIAL SECURITY FORCE REPRESENTED BY ITS DIRECTOR
GENERAL 13, CGO COMPLEX, LODHI ROAD, NEW DELHI 110 003 8
INDO TIBETAN BORDER POLICE REPRESENTED BY ITS DIRECTOR
GENERAL BLOCK 02, CGO COMPLEX, -10- LODHI ROAD, NEW
DELHI 110 003 9 SASHASTRA SEEMA BAL REPRESENTED BY ITS
DIRECTOR GENERAL, EAST BLOCK V, R.K PURAM, NEW DELHI 110
066 10 ASSAM RIFLES REPRESENTED BY ITS DIRECTOR GENERAL
HQ DGAR, ASSAM RIFLES, SHILLONG, MEGHALAYA 793 002 11
NATIONAL INVESTIGATION AGENCY REPRESENTED BY ITS
DIRECTOR GENERAL, CGO COMPLEX, LODHI ROAD, NEW DELHI
110 003 12 DEPUTY INSPECTOR GENERAL OF POLICE GROUP
CENTRE, CENTRAL RESERVE POLICE FORCE, PALLIPURAM,
THIRUVANANTHAPURAM 695 316 13 INSPECTOR GENERAL
FRONTIER HEAD QUARTERS, BORDER SECURITY FORCE,
YELAHANKA P.O, BANGALORE, KARNATA 560 064

14 ADDITIONAL DIRECTOR GENERAL (MEDICAL) CAPF'S, NSG
&AR, WEST BLOCK, R.K. PURAM, NEW DELHI-110066. SRI. R
SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU
DSGI, CGC DAYA SINDHU SREEHARI N S THIS WRIT PETITION
(CIVIL) HAVING COME UP FOR ADMISSION ON 13.04.2023, ALONG
WITH WA.1498/2022 AND CONNECTED CASES, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING: -11-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WP(C) NO. 6955 OF 2023 PETITIONER/S: 1 SHABHIN A., AGED 25 YEARS S/O.P.P.BHARATHAN, NARAYANEEYAM, MAVILACHAL, EACHUR P.O, KANNUR, PIN - 670591 2 RAHUL RAJU AGED 25 YEARS S/O.RAGINI RAJU, PUTHENPURA (H), PAYYAVOOR P.O. PAYYAVOOR, KANNUR, PIN - 670633 3 DILSHAD P.K AGED 24 YEARS S/O.PARIYAYI, PERUMALAKANDI (H), INDIRANAGAR P.O. KALLACHI VIA, KOZHIKODE, PIN - 673506 4 JISHNU M AGED 24 YEARS S/O.JANARDHANAN P.V, PUTHIYANAM VEETIL, KADANNAPPALLY, THEKKEKKARA, KADARMAPPALLY P.O.,K.ANNUR, PIN - 670504 5 VISHNU DAS K AGED 25 YEARS S/O.KUMARAN T, KOTHORMBATH HOUSE, PULLUR, HARIPURAM P.O., KERALA, PIN - 671531 -12- 6 SALEEM P.V AGED 26 YEARS S/O.ABDUL JABBAR P.V, PONNA VALAPPIL (H), DALIL, THAVAM P.O., CHERUKUNNU, KANNUR, PIN - 670301 7 SHERIN K.V AGED 25 YEARS S/O.SREEKANTH M, PUTHIYARAMBATH (H), KANNADI VELICHAM, MAMBA P.O., KANNUR, PIN - 670611 8 SHIBIN M AGED 23 YEARS S/O.JANARDHANAN M MATTUMMAL HOUSE, PARAVOOR, PANAPUZHA P.O., KANNUR, PIN - 670306 9 VAISHNAV R.NAMBIAR AGED 25 YEARS S/O.RAJAN P.NAMBIAR, `SOPANAM', OTTAPPALA NAGAR, KARIMBAM P.O, TALIPARAMBA, KANNUR, PIN - 670142 10 AMAL C AGED 26 YEARS S/O. VALSAN MELAEVEETIL, KALATHIL HOUSE, EDAYANNUR, EDAYANNUR P.O., KANNUR, PIN - 670595 11 NITHIN MAMMATH AGED 25 YEARS S/O.MUKUNDAN PONNAMBATH, PAREMMAL HOUSE, THOLAMBRA P.O. THOLAMBRA, KANNUR, PIN - 670673

12 AJNAS.V AGED 25 YEARS S/O.HAMSA E.P, AJU COTTAGE, CHOOLIYAD,. MALAPPATTAM, KANNUR, PIN - 670631 13 VARUN

P.P. AGED 26 YEARS S/O.MANOCHARAN K.M PARIYARAM PUTHIYA VEETIL (H), -13- PERUVAMBA, OLAYAMBADI P.O. KANNUR, PIN - 670306

14 SANTHOSH K AGED 24 YEARS S/O.KUNHAMMA K, KARICHERY PERALAM (H), KOLATHUR P.O, KASARGOD, PIN - 671541 15 TOJU TOM AGED 23 YEARS S/O.JOHN K.M KANIYAROLIKEL(H), AREEKAMALA P.O., KANNUR, PIN - 670582 16 NAVANEETH T.LAKSHMANAN AGED 24 YEARS S/O.T.LAKSHMANAN, THALIYIL, PERUVAMBA, OLAYAMBADY P.O., KANNUR, PIN - 670306 17 SHIBIN E AGED 25 YEARS S/O.NANU N, EDIYIL HOUSE, ELAMPARA P.O. ELAMPARA, KANNUR, PIN - 670595 18 RADHUL RAMESH K AGED 24 YEARS S/O. C.RAMESHAN, PARAKKANDI HOUSE, KUTTIATTOOR, P.O.KUTTIATTOOR, KANNUR, PIN - 670602 19 JITHINLAL C AGED 24 YEARS S/O.NELLIKKA MOHANAN, MANEESHA NIVAS, PARAPPALLY, NEYYALAM, MUZHAKKUNNU, KANNUR, PIN - 670673 20 RAHUL P AGED 25 YEARS S/O.P.RAGHAVAN, PRATHIYOTH (H), PERUAL, MATHAMANGALAM P.O. ERAMAM, KANNUR, PIN - 670306 21 AMAL K AGED 25 YEARS - 14- S/O. C.SURESHAN, KRIPA, KEEZHATHUR, PATHIRIYAD P.O., PINARAYI, KANNUR, PIN - 670741 22 JISHNU N AGED 24 YEARS S/O. SATHYAN K.V, KIZHAKKE VEETIL, BAVODE, BAVODE P.O., KANNUR, PIN - 670622 23 SUMESH MOHANAN AGED 27 YEARS S/O.MOHANAN, AMPATTU (H), KANHILERY, CHERIKODE P.O, KANNUR, PIN - 670631 24 VIVEK RAJAN P AGED 27 YEARS S/O.D.S.RAJAN, DAIVAKRIPA HOUSE, KAITHERI 12TH MILE, AYITHARA MAMBARAM P.O, KANNUR, PIN - 670643 25 SANAL P AGED 28 YEARS S/O.KRISHNAN K, KEKKADAVAN VEEDU, MADIYAN, MANIKOTH P.O. KANHANGAD, KASARGOD, PIN - 671316 26 ARUNJITH P AGED 24 YEARS S/O.RAMACHANDRAN P, PARAYIL (H), PADIYOOR P.O. PULIKKAD, KANNUR, PIN - 670703 27 BHAVESH E.S AGED 27 YEARS S/O.SURESH E.R, EDAPPALA HOUSE,MULLURKARA P.O THRISSUR, PIN - 680583 28 GOKUL T.V

AGED 24 YEARS S/O.E.RAMACHANDRAN, ERUPATHANJIL HOUSE,
ACHAMTHURUTHI P.O, CHERUVATHUR, KASARGOD, PIN - 671351 -
15- 29 VINEETH S AGED 26 YEARS S/O.SUSEENDRAN M,
THEKKINKATTIL VEEDU, MAHADEVESWARAM, KILIMANOR P.O,
PAZHAYAKUNNUMMEL, KILIMANOR, THIRUVANANTHAPURAM,
PIN - 695601 30 MUHAMMAD FAZIL NADUVILAKANDIYIL AGED 28
YEARS S/O.MOIDU N.K NADUVILAKANDIYIL (H), KODIYARA P.O.
KALLACHI VIA, KOZHIKODE, PIN - 673506 31 VYSHNAV P.V AGED
24 YEARS S/O.SURENDRAN K.V, PANVALAPPIL HOUSE, VELLORA
P.O., VELLORA, KANNUR, PIN - 670306 32 ARUN S AGED 25 YEARS
S/O.SOMASUNDARAN K, ELAMBACHI KUZHIYIL (H), PAYAMBRA
P.O. KURMAMANGALAM VIA, KOZHIKODE, PIN - 673571 33 NIRMAL
RAJ A.K AGED 25 YEARS S/O.RAJAN K , SNEHATHEERAM (H),
PUTHIYAKANDAM, CHERUVATHUR, P.O.CHERUVATHUR,
KASARGOD, PIN - 671313 34 PRANAV P.V AGED 29 YEARS
S/O.PADMNABHAN A.P, PULIYULLAVALAPPIL, NELLIYAD,
P.O.KUTTUR, VIA MATHAMANGALAM BAZAR, KANNUR, PIN - 35
YASWANTH C.K AGED 24 YEARS S/O.RAJEESH P, RAJEESH
BHAVAN HOUSE, PADANNAKKARA P.O. PINARAYI, KANNUR, PIN -
670741 36 DIGINDAS KTK AGED 27 YEARS -16- S/O.DASAN KTK,
KUNNUMMAL THAZHA KUNIYIL (H), KATAMERI P.O, VILLIAPPALLY
VIA, KOZHIKODE-, PIN - 673542 37 ASWANTHAKUMAR T.M AGED 25
YEARS S/O.ANANDAN T.M, THANAMADATHIL (H), NEDUMPARAMBA
P.O. KALLACHI, KOZHIKODE, PIN - 673506 38 NITHESHA R AGED 25
YEARS S/O.CHANDRASEKHARA,. CHATHANKAI MANIYIL NILAYA,
KALAND, KASARGOD, PIN - 671317 39 VISHNUKUMAR V AGED 26
YEARS S/O.VIJAYACHANDRAN PILLAI, VIDYA BHAVANAM,
THAZHAVA, KADATHOOR P.O., KOLLAM, PIN - 690523 40 MRUDUL
P AGED 25 YEARS S/O.PREMARAJAN T.K, PALAYADATH,
PATHINARAMPARAMBA, MALAPATTAM P.O., KANNUR, PIN - 670631
41 ATHUL PRAKASH K AGED 23 YEARS S/O.PRAKASHAN K ,
KUNDUMKARA (H), CHELERI P.O. KARAYAPPU. KANNUR, PIN -
670604 42 DEVAMITHRA J.S AGED 22 YEARS S/O.JAYACHANDRAN

S, POORAM, MADAVOORPARA, KATTAYIKONAM P.O. THIRUVANANTHAPURAM, PIN - 695584 43 ATHUL RAJ C.R AGED 25 YEARS S/O.RAJAN C.V, CHEMBALIPURATH (H), P.O.AMMADAM. THRISSUR, PIN - 680563 -17- 44 ABIN K AGED 27 YEARS S/O.HARIDASAN K, KANIYARAKKAL (H), KIZHAKKUMMURI P.O. KAKKODI, KOZHIKODE, PIN - 673611

45 ADUNLAL V.N AGED 29 YEARS S/O.BHASKARAN, VALAYANKANDY (H), KOTTUR P.O. KOZHIKODE, PIN - 675614 46 AKSHAY K.V AGED 23 YEARS S/O.M.SREEKANTH, PUTHIYARAMBATH HOUSE, P.O.MAMBA, KANNUR, PIN - 670611 47 AMAL RAJ AGED 25 YEARS S/O.RAJENDRAN M.D AMAL BHAVAN, P.O.VALLANA, PATHANAMTHITTA, PIN - 689532

48 ABHISHEK A AGED 24 YEARS S/O.AJITH KUMAR, ABHISHEKAM, PARANAKUZHI, PAZHAYAKURMUMMEL, THIRUVANANTHAPURAM, PIN - 695601 49 AJAY SOMAN AGED 25 YEARS S/O. SOMAN PALANAMKANDATHIL HOUSE, CHARAL, AYYANKUNNU, KANNUR, PIN - 670706 50 GAYATHRI V AGED 24 YEARS D/O.GOPALAKRISHNAN, PUTHUPARAMBIL HOUSE, PADIYOOR P.O. IRITTY, KANNUR, PIN - 670703 51 ARUNNYA ANIYAPPAN AGED 24 YEARS D/O.ANIYAPPAN, CHORAKKATT (H), PALAKKODE, RAMANTHALI, -18- KANNUR, PIN - 670305 52 GEETHU A AGED 28 YEARS D/O.SUNI N KAKKIDIVILA VEEDU, AYATHIL P.O., KOLLAM, PIN - 53 ADARSH K.P AGED 27 YEARS S/O.KANAKENDRAN, KALLIAT HOUSE, U.S.K.ROAD, DHARMADAM P.O. KANNUR, PIN - 670106 54 AZEEF MON A.A AGED 30 YEARS S/O.ABDUL AZEES M.K, T.C.76/271, PUTHUVAL HOUSE, BEEMAPALLY, VALLAKKADAVU P.O. THIRUVANANTHAPURAM, PIN - 695008 55 BIBIN JOHN R AGED 30 YEARS S/O.ROBET JOHN L, JIBIN NIVAS, KATHIPPARA, KOOTHALI P.O. THIRUVANANTHAPURAM, PIN - 695505 56 KRISHNA RAJ P.K AGED 24 YEARS S/O.KUNHIKELU, PEETTAKKANDIYIL (H), THIRUVALLUR P.O. VADAKARA, KOZHIKODE, PIN - 673541 57

ANANTHU G.VISWAN AGED 23 YEARS S/O.VISWAN K.V
KURUPPAMVEETIL (H), KANNADIPOYIL P.O. BALUSSERRY,
KOZHIKODE, PIN - 673612 58 AMEGH K.M AGED 27 YEARS
S/O.PRADEEPAN K.M MEKKOTKUNIYIL (H), MAKKADA P.O.
KAKKKODI VIA, KOZHIKODE, PIN - 673611 -19- 59 BHAJITHLAL T
AGED 26 YEARS S/O.ANANDAN T, THEKKEYTHODI MARADU
VEEDU. OP.O.ARAKKINOOR, KOZHIKODE, PIN - 673028 60
ARUNKUMAR S AGED 25 YEARS S/O.SASIKUMARAN, VALIYAVILA
KIZHAKKATHIL, NORTH MYNAGAPPALLY, KOLLAM, PIN - 690519 61
ADITHYAN S AGED 23 YEARS S/O.SAJEEVAN K
VALIYAVILATHEKKATHIL EDAVANASSERY NORTH,
MYNAGAPPALLY P.O. KOLLAM, PIN - 690519 62 SIYAD A AGED 27
YEARS S/O.ABBAS E, SUBIYA MANZIL, (THATTANTE
KIZHAKKATHIL) EDAVANASSERY NORTH, MYNAGAPPALLY P.O.
KOLLAM, PIN - 63 SYAM SANKAR S.S AGED 25 YEARS
S/O.SANKARA PILLAI 8, THIRUVATHIRA, SOUTH MYNAGAPPALLY
P.O. KOLLAM, PIN - 690519 64 AKHIL SUDHAKAR AGED 27 YEARS
S/O.SUDHAKARAN K, A.S.COTTAGE, EDAVANASSERRY,
MYNAGAPPALLY, KOLLAM, PIN - 690519 65 AKSHAY KRISHNAN P
AGED 24 YEARS S/O.KRISHNAN P, PUTHALATH (H), VAKAYAD P.O.
NADUVANNUR VIA, KOZHIKODE, PIN - 673614 66 ANISH P AGED 26
YEARS S/O.VALSAN, PERINJERI HOUSE, VAKAYADU P.O.
NADUVANNUR -20- VIA, KOZHIKODE, PIN - 673614 67 BIJIN B.S
AGED 26 YEARS S/O.BINUKUMAR D, B.S.BHAVAN, POWATHOOR,
PACHA PALUVALLY P.O. THIRUVANANTHAPURAM, PIN - 695562 68
ASHWIN L.K AGED 28 YEARS S/O.LAKSHMEESHA, VIVEK VIHAR,
NEAR UMA NURSERY LANE ROAD, KASARGOD, PIN - 671121 69
ASWANTH G AGED 25 YEARS S/O.GANGADHARAN K.P
KANAPARAMBIL (H), VELOM PERUVAYAL P.O. KOZHIKODE, PIN -
673508 70 ARSHAD AGED 26 YEARS S/O.NOUSHAD H, ANSHAD
MANZIL, PEROORKARAZHMA, CHARUMMOODU P.O ALAPUZHA,
PIN - 690505 71 PRAVEEN M AGED 25 YEARS S/O.SASEENDRAN M,
MAVILOTH HOUSE, CHERUVANCHERY, CHERUVANCHERY P.O,

KANNUR, PIN - 670650 72 JISHNU P AGED 23 YEARS
S/O.ULLASKUMAR P, POOKKANDY HOUSE, P.O.EACHUR, KANNUR,
PIN - 670591 73 SARATH C AGED 28 YEARS S/O.BABURAJ C,
GOPIKA, PUTHIYATHERU, P.O.MUZHAPPILANGAD, KANNUR, PIN -
670662 74 MIDHUN I.S AGED 25 YEARS -21- S/O.KRISHI KUMAR
MALLIKA MANDIRAM, PALAKKA AIRAKUZH P.O. KOLLAM, PIN -
691559 75 ANSHAD A AGED 23 YEARS S/O.ASHRAF A, ANSHAD
MANZIL, KANJIRATHUMMOODU, AYIRAKUZH P.O.,KOLLAM, PIN -
691559 76 AKSHAYA A AGED 24 YEARS S/O.ANILKUMAR, MANJU
BHAVAN, MOOLAYILKONAM, KODUVAZHANOOR P.O.
THIRUVANANTHAPURAM, PIN - 695612 77 SYAM KUMAR S.B AGED
26 YEARS S/O.SURENDRAN NAIR, SYAM NIVAS, KADUKKAKUNNU,
VINOBANIKEHAN P. O, THIRUVANANTHAPURAM, PIN - 695542 78
ATHUL KRISHNA V.M AGED 27 YEARS S/O.MOHANAN, MANNIL
KOVUMMAL (H), CHANGAROTH P.O. PERUVANNAMUZHI VIA,
KOZHIKODE, PIN - 673528 79 ATHUL SIVAN S AGED 22 YEARS
S/O.SADASIVAN NAIR G KIZHEKKEVILA VEEDU, EDAKKODU,
CHADAYAMANGALAM P.O. KOLLAM -, PIN - 691534 80 ABHIJITH M
AGED 23 YEARS S/O.MURUGAN, CHITHIRA BHAVAN,
PLAVILAKUNNU, PADAVANCODE, VILAPPILSALA P.O.
THIRUVANANTHAPURAM, PIN - 81 ASWANTH KUMAR S.P AGED 24
YEARS S/O.SURESH KUMAR K.T, THAYYULLA KANNAN KANDY (H),
NANMINDA P.O., KOZHIKODE, PIN - 673613 -22- BY ADVS. VARUN
C.VIJAY DIVYA CHANDRAN RESPONDENT/S: 1 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF PERSONNEL,
PUBLIC GRIEVANCE & PENSION, DEPARTMENT OF PERSONNEL &
TRAINING, NORTH BLOCK, NEW DELHI, PIN - 110001 2 MINISTRY
OF HOME AFFAIRS REPRESENTED BY ITS SECRETARY, NORTH
BLOCK, NEW DELHI, PIN - 3 STAFF SELECTION COMMISSION
REPRESENTED BY ITS REGIONAL DIRECTOR (KKR), 1ST FLOOR,
"E" WING, KENDRIYA SADAN, KORAMANGALA, BENGALURU,
KARNATAKA, PIN - 560034 4 DIRECTORATE GENERAL CENTRAL
RESERVE POLICE FORCE (RECRUITMENT BRANCH) EAST BLOCK-

078, LEVEL-04, SECTOR-01, R.K.PURAM, NEW DELHI, PIN - SRI. R SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU DSGI, CGC DAYA SINDHU SREEHARI N S THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13.04.2023, ALONG WITH WA.1498/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -23-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WP(C) NO. 19871 OF 2022 PETITIONER/S: 1 KISHOR K, AGED 27 YEARS S/O. KRISHNANKUTTY, ROLL NO.9212004063, KOOTHUPARAMBU HOUSE, PALLANCHATHANUR P.O, PALAKKAD- 678571. 2 AKHIL M., AGED 24 YEARS S/O. MANI K.V., ROLL NO.9212005661, KODILPADATH HOUSE, ERATTAKULAM P.O, ALATHUR, PALAKKAD-678682. 3 SWAROOP S., AGED 23 YEARS S/O. SWAMINATHAN K., ROLL NO.9212005311, MOOCHIKKAL VEEDU, KUTTIPULLY. PALLASSANA P.O, PALAKKAD-678505. 4 SAJITH T.S., AGED 24 YEARS S/O. SUNDARAMANI, ROLL NO.9212005453, KALATHIL VEEDU, PERUMKULANGARA, KOTTAYI P.O, PALAKKAD-678572. 5 VIPIN V., AGED 28 YEARS S/O. VELUKUTTY, ROLL NO.9212005259, VATTACHIRA HOUSE, VADAVANNUR P.O, PALAKKAD-678504. -24- 6 MEHUL M., AGED 25 YEARS S/O. MOHAN V., ROLL NO.9212007354, M.R.G. NIVAS, AKALLOOR P.O., PALAKKAD-679302. 7 JAGATH J., AGED 22 YEARS S/O. JAYARAMAN. M., ROLL NO. 9212002532, SREE GOURI NIVAS, PUTHANPERAMBU, NEELIKKAD, TATTAMANGALAM P.O, PALAKKAD-678102. 8 CHANDRADAS C., AGED 25 YEARS S/O. CHENTHAMARA, ROLL NO.9212007966, CHENGODE HOUSE, KODUNTHIRAPULLY P.O, PALAKKAD-678004. 9 SAKEER N., AGED 27 YEARS S/O. NOORMUHAMMED, ROLL NO.9212008102, KOLLAD HOUSE, MATHUR P.O., MATHUR-I,

PALAKKAD-678571. 10 SANAL P., AGED 26 YEARS S/O. SATHYAN. P., ROLL NO.9206000932, PALLIKKAL HOUSE, TANUR P.O, CHIRAKKAL, MALAPPURAM-676302. 11 VIGNESH P., AGED 25 YEARS S/O. PARAMASIVAN, ROLL NO.9212000538, MANAKKAMPAD HOUSE, KINAVALLUR P.O., PARLI, PALAKKAD-678612. 12 SRIRAJ M.S., AGED 27 YEARS S/O. SUNDARAN, ROLL NO.9212000163, MELEPATTU HOUSE, THIRUVADI, PUTHUCODE, PALAKKAD-678687. 13 AKHIL K., AGED 28 YEARS S/O. KRISHNAMOORTHY, ROLL NO.9212006694, MADAYANKADU -25- HOUSE, VILAYODI P.O., CHITTUR, PALAKKAD-678103. 14 ASKER P., AGED 27 YEARS S/O. ASHRAF, ROLL NO. 9206017607, PAROLI HOUSE, THANNIKKADAVU, KUNNUMMAL, POTTY P.O., MALAPPURAM-679331. 15 NASEEBA K.V., AGED 26 YEARS D/O. SHAMSUDHEEN K.V., ROLL NO.9206023988, KIZHAKKOTUVALAPPIL, MURIYAKKANNI, THIRUVIZHAMKUNNU P.O., ALANALLUR-111, ALANALLUR, PALAKKAD-678601. 16 AMAL P.T., AGED 27 YEARS S/O. NARAYANAN, ROLL NO.9206015902, KANDANPARAMBIL HOUSE, PERAMBRA, KOZHIKODE-673525. 17 JISHNU C., AGED 23 YEARS S/O. SUDHI, ROLL NO.9206017333, CHALIL (H), CHENOLI P.O., PERAMBRA (VIA), KOZHIKODE-673525. 18 KARTHIK M., AGED 28 YEARS S/O. MANOJ. S, ROLL NO.9206016146, CHEROOTY HOUSE, CHALAPPURAM P.O., KOZHIKODE-673002. 19 VISHNU K., AGED 25 YEARS S/O. CHANDRAN, ROLL NO.9206008017, KUNIYIL HOUSE, PERAMBRA P.O., KOZHIKODE-673525. 20 GOKUL S.L., AGED 24 YEARS S/O. SIVAKUMAR A., ROLL NO. 9211026342, SHEEBA BHAVAN, CHANTHAVILA, NEDUMANGAD P.O., THIRUVANANTHAPURAM- -26- 695541. 21 ANAND S., AGED 26 YEARS S/O. SAJU S., ROLL NO. 9211001422, MUDUMBIL VEEDU, KOTTAMPALLY, AMBALATHINKALA P.O, KULATHUMMAL, THIRUVANANTHAPURAM-695572. 22 DEEPU P., AGED 26 YEARS S/O. PRADEEP, ROLL NO.9204000011, NIKARTHIL, KANICHUKULANGARA P.O., CHERTHALA, ALAPPUZHA-688582. 23 JITHIN BABU, AGED 26 YEARS S/O. BABU. P., ROLL NO.9204006014,

CHARAMTHARA, POOCHAKKAL P.O., CHERTHALA, ALAPPUZHA-688526. 24 RAHUL RAJ R., AGED 22 YEARS S/O. RAJAN S., ROLL NO. 9211002096, KANJIRAMVILA PUTHEN VEEDU, THUVAYOOR SOUTH P.O., KADAMPANADU, PATHANAMTHITTA-691552. 25 MAHESH K.B., AGED 24 YEARS S/O. BHASKARAN, ROLL NO. 9212005272, KUNDUKATTIL HOUSE, MALESMANGALAM P.O., THIRUVILWAMALA, THRISSUR-680583. 26 PRASANTH K.P., AGED 28 YEARS S/O. PRATHAPAN, ROLL NO.9204009798, THAYYIL PARAMBIL ,KUNNUMMA, THAKAZHY P.O., ALAPPUZHA-688562. 27 AMAL A., AGED 25 YEARS S/O. ANANDAN N., ROLL NO.9211003780, ANANDABHAVANAM, KIDAPRAM NORTH, PERUNGALAM P.O., MUNDROTHURUTH, -27- KOLLAM-691502. 28 SUJITH J.S., AGED 23 YEARS S/O. JAYAKUMAR, ROLL NO. 9211009339, SUJITHANIVAS, NEAR SIGNAL STATION, PUNKULAM, KALLIYOOR, VELLAYANI, THIRUVANANTHAPURAM-695522. 29 DEEPAK P.V., AGED 24 YEARS S/O. VENUGOPALAN P.K., ROLL NO.9212007982, PARAKKAL PADINJAREPARAMBIL HOUSE, KANJANI ROAD, MAMPULLY LANE, CHETTUPUZHA P.O., MANAKKUDY, THRISSUR-680012. 30 SUMESH M.M., AGED 25 YEARS S/O. MANIKANDAN. T., ROLL NO.9212000633, MOOCHIKKAL VEEDU, ORALASSERY, KANIYARKODE P.O., THIRUVILWAMALA, KANNIYARKODE, THRISSUR-680594. 31 SAVINESH M.P., AGED 26 YEARS S/O. MAHADEVA KURUP, ROLL NO. 9211003958, PUTHIYATH HOUSE, ERATHUVADAKARA P.O., MANIMALA, KOTTAYAM-686543. 32 SUFEYAN SHAMSUDHEEN, AGED 24 YEARS S/O. SHAMSUDHEEN, ROLL NO.9204001471, KAMBYIL, VATTAYAL WARD, THIRUVAMPADY P.O., ALAPPUZHA-688002. 33 SUBIN K.S., AGED 26 YEARS S/O. SURESH KUMAR. G., ROLL NO. 9211006632, ORUPURATHU PUTHEN VEEDU, KAMUKUMCHERY, KARIYARA P.O., PIDAVOOR VILLAGE, VILAKKUDY, KARIYARA, KOLLAM-691332. 34 AKUL V., AGED 26 YEARS S/O. VIJAYAN NAIR K., ROLL NO. 9211026328, ABHIRAMAM, -28- MOOLAYAM, ALIYADU P.O., KOLIYAKODE, THIRUVANANTHAPURAM-695607. 35 AKSHAY KUMAR G.S., AGED

23 YEARS S/O. SASI. E.K., ROLL NO. 9206002883, PADINHARE MAVULLAKANDY HOUSE, KADIYANGAD P.O., PERAMBRA, KOZHIKODE-673525. 36 KISHOR S., AGED 24 YEARS S/O. SATHEESHKUMAR P.D., ROLL NO. 9211025768, SADANAM, KAMUKOMCHERY, AVANEESWARAM P.O., PIDAVOOR, KOLLAM-691508. 37 VIPIN V., AGED 25 YEARS S/O. VINOD S., ROLL NO.9211012758, VIPIN BHAVAN, NEDUMPANA P.O., KOLLAM-691576. 38 EBIN PAUL K., AGED 25 YEARS S/O. K.G. THANKACHAN, ROLL NO. 9211001353, KUTTIVILA KIZHAKKATHIL VEEDU, NEDUMPANA P.O., KOLLAM-691576. BY ADVS. R.SANJITH C.S.SINDHU KRISHNAH P.S.ANJU ANOOP GEORGE SURAJ KRISHNAN SHALU JOSE RESPONDENT/S: 1 THE UNION OF INDIA REPRESENTED BY ITS SECRETARY, MINISTRY OF HOME AFFAIRS, NORTH BLOCK, NEW DELHI-110 001. -29- 2 THE MINISTRY OF HOME AFFAIRS, REPRESENTED BY ITS SECRETARY, NORTH BLOCK, NEW DELHI- 110001. 3 STAFF SELECTION COMMISSION, REPRESENTED BY ITS REGIONAL DIRECTOR (KERALA-KARNATAKA REGION), 1ST FLOOR, E WING, KENDRIYA SADAN, KORAMANGALA, BENGALURU, KARNATAKA-560 034. 4 ASSAM RIFLES, REPRESENTED BY DEPUTY COMMANDANT, DIRECTORATE GENERAL, ASSAM RIFLES, SHILLONG-793010. 5 REVIEW MEDICAL BOARD, REPRESENTED BY ITS PRESIDING OFFICER, CONSTABLES (GD) EXAMINATION, 2018, GROUP CENTRE, CENTRAL RESERVE POLICE FORCE, PALLIPURAM, THIRUVANANTHAPURAM-695 316. 6 DIRECTORATE GENERAL, CRPF(RECRUITMENT BRANCH), EAST BLOCK-07, LEVEL-4, SECTOR- 01, R.K. PURAM, NEW DELHI-110066. SRI. R SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU DSGI, CGC DAYA SINDHU SREEHARI N S THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13.04.2023, ALONG WITH WA.1498/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -30-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WP(C) NO. 20313 OF 2022 PETITIONER/S: SAHIL S., AGED 25 YEARS CHOONALIL HOUSE, SOUTH KOCHUMURY, OACHIRA.P.O., ALAPPUZHA, KERALA, PIN - 690526 BY ADV SAHIL S.,(Party-In-Person) RESPONDENT/S: 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE AND PENSION, DEPARTMENT OF PERSONNEL AND TRAINING, NORTH BLOCK, NEW DELHI-110001. 2 MINISTRY OF HOME AFFAIRS, REPRESENTED BY ITS SECRETARY, NORTH BLOCK, NEW DELHI-110001. 3 STAFF SELECTION COMMISSION, REPRESENTED BY ITS DIRECTOR, BLOCK NO.12, C.G.O. COMPLEX, LODHI ROAD, NEW DELHI-110003. 4 STAFF SELECTION COMMISSION REPRESENTED BY ITS DIRECTOR, 1ST FLOOR, E WING, KENDRIYA -31- SADAN, KORAMANGALA, BENGALURU, KARNATAKA-560034. 5 CENTRAL ARMED POLICE FORCE, REPRESENTED BY ITS JOINT SECRETARY, (COORDINATION & INTERNATIONAL COOPERATION) MINISTRY OF HOME AFFAIRS, NORTH BLOCK, NEW DELHI-110001. 6 DIRECTORATE GENERAL ((CRPF(RECRUITMENT BRANCH) EAST BLOCK-07, LEVEL 04, SECTOR-01, R.K.PURAM, NEW DELHI-110066. 7 DEPUTY INSPECTOR GENERAL, GROUP CENTRE, CENTRAL RESERVE POLICE FORCE, PALLIPURAM, THIRUVANANTHAPURAM-695316. SRI. R SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU DSGI, CGC DAYA SINDHU SREEHARI N S THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13.04.2023, ALONG WITH WA.1498/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -32-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WP(C) NO. 26745 OF 2022 PETITIONER/S: SREEJU V.R., AGED 27 YEARS S/O. SHRI. RAJU V K, R/O. VADAKKOOT HOUSE , P.O CHITTISSERY, TRISSUR, PIN - 680301 BY ADVS. REENA SHARON SURESH K.P.S.SURESH RESPONDENT/S: 1 UNION OF INDIA, SECRETARY TO GOVT. OF INDIA, MINISTRY OF HOME AFFAIRS NORTH BLOCK, NEW DELHI ., PIN - 110001 2 THE SECRETARY, STAFF SELECTION COMMISSION, BLOCK NO.12 , C G O COMPLEX, LODHI ROAD, NEW DELHI, PIN - 110003 3 THE DY. INSPECTOR GENERAL (RECTT.), O/O THE DIRECTORATE GENERAL CENTRAL RESERVE POLICE FORCE - RECRUITMENT BRANCH EAST BLOCK -7 , LEVEL 4, SECTOR I R.K PURAM , NEW DELHI, PIN - 110066 -33- 4 THE REGIONAL DIRECTOR (KKR), 1ST FLOOR, E WING, KENDRIYA SADAN, KORAMANGALA , BANGALORE, KARNATAKA, PIN - 560034 SRI. R SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU DSGI, CGC DAYA SINDHU SREEHARI N S THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13.04.2023, ALONG WITH WA.1498/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -34-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WP(C) NO. 32204 OF 2022 PETITIONER/S: 1 SREEJITH S., AGED 23 YEARS S/O.SREEKUMAR, KALEEKKAL PUTHEN VEEDU, KARUVATTU SOUTH ADOOR P.O. PATHANAMTHITTA-691523. 2 ANANTHAKRISHNAN M, AGED 26 YEARS, S/O.MURALEEDHARAN D, MURALIVILASAM, MANAMPUZHA P.O KUNNATHOOR, KOLLAM-691553. 3 AROMAL A, AGED 26 YEARS, S/O.ANILKUMAR C,

ANILBHAVAN, CHELIKKUZHAY PO, KOLLAM-691556. 4 GANESH P.BHOOSHAN, AGED 22 YEARS, S/O.PADMABHOOSHAN, PADMA VILASOM, IVERKALA MADATHIL, PUTHANAMPALAM P.O. ,KOLLAM-691553. 5 SREEPATH A.S, AGED 24 YEARS, S/O.SUBRAMANIAN A.A.,ACHI HOUSE, P.O.ENGANDIYUR, THUSHARA CENTRE, THRISSUR 680615. 6 MANOJ M, AGED 25 YEARS, S/O.MURALIDHARAN K, ELANJICKAL, KURUMADY P.O. AMBALAPUZHA, ALAPPUZHA - 688561. -35- 7 VISHNU N.S AGED 24 YEARS, S/O.SAJEEVAN N.K., NADUVATHRA HOUSE, KUTTICHIRA P.O, KUDUKUZHIPADAM, THRISSUR -680724. 8 SUMITH P.B, AGED 25 YEARS, S/O.BABU P.V POZHAMKANDATH (H), MULAMKUNATHKAVU, P.O. M.G. KAVU, THRISSUR -680581. 9 ABHIJITH AJAYAN, AGED 29 YEARS, S/O.AJAYAKUMAR V.R., VYPINCHERIL HOUSE, MANTHIATTUKUNNAM P.O.,NORTH PARAVUR, ERNAKULAM- 683513. 10 SUFEYAN SHAMSUDHEEN, AGED 25 YEARS, S/O.SHAMSUDHEEN, KAMBYIL VATTAYAL WARD, ALAPPUZHA -688001. BY ADVS. VARUN C.VIJAY DIVYA CHANDRAN

RESPONDENT/S: 1 UNION OF INDIA REPRESENTED BY ITS SECRETARY, MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE & PENSION, DEPARTMENT OF PERSONNEL & TRAINING, NORTH BLOCK, NEW DELHI-110001. 2 MINISTRY OF HOME AFFAIRS, REPRESENTED BY ITS SECRETARY, NORTH BLOCK, NEW DELHI-110001. 3 STAFF SELECTION COMMISSION, REPRESENTED BY ITS REGIONAL DIRECTOR (KKR), 1ST FLOOR, "E" WING, KENDRIYA SADAN, KORAMANGALA, BENGALURU, KARNATAKA-560034. -36- 4 DIRECTORATE GENERAL, CENTRAL RESERVE POLICE FORCE (RECRUITMENT BRANCH) EAST BLOCK-078, LEVEL-04, SECTOR-01, R.K.PURAM, NEW DELHI-110066

SRI. R SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU DSGI, CGC DAYA SINDHU SREEHARI N S THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13.04.2023, ALONG WITH WA.1498/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -37-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WP(C) NO. 36142 OF 2022 PETITIONER/S: 1 ATHUL U., AGED 25 YEARS S/O.SATHEESAN C, CHELERI(H), CHAMBAD, PATHIRIYAD P.O. KANNUR-670741. 2 SUJITH S.J, AGED 25 YEARS, S/O.SURESHKUMAR J, SURESH NIVAS, ANCODE, PERUMKADAVILA P.O, THIRUVANANTHAPURAM-695124. 3 VINEETH J.L, AGED 26 YEARS, S/O. JAYAKUMAR V, GOPI BHAVANAM, DHANUVACHAPURAM, THIRUVANANTHAPURAM-695503. 4 ATHUL T, AGED 23 YEARS, S/O.ASOKAN, THARKKAL HOUSE, CHERUVANNUR POST MEPPAYUR, KOZHIKODE -673524. 5 SOURAV K.K, AGED 25 YEARS, S/O.MOHANAN, KANNAMBATHKANDY (H), CHERUVANNUR P.O., MEPPAYUR VIA KOZHIKODE -673524. 6 HARIJITH M.S, AGED 26 YEARS, S/O.MANIKANDAN N KAVINMUGHAM, MALLIKASSERY, PARASUVAIKAL P.O. THIRUVANANTHAPURAM- 695508. -38- 7 MANEESHA A.M., AGED 25 YEARS, S/O.A.C.MATHAI, AIRATTEL HOUSE, AYODE, THRISSUR -680652. 8 SREE REKHA VIJAYAN, AGED 26 YEARS, D/O.VIJAYACHANDRAN NAIR, SREEBHAVANAM, VALLICODE P.O., PATHANAMTHITTA-689648. BY ADVS. VARUN C.VIJAY DIVYA CHANDRAN RESPONDENT/S: 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE & PENSION, DEPARTMENT OF PERSONNEL & TRAINING, NORTH BLOCK, NEW DELHI-110001. 2 MINISTRY OF HOME AFFAIRS, REPRESENTED BY ITS SECRETARY, NORTH BLOCK, NEW DELHI- 110001. 3 STAFF SELECTION COMMISSION, REPRESENTED BY ITS REGIONAL DIRECTOR (KKR), 1ST FLOOR, "E" WING, KENDRIYA SADAN, KORAMANGALA, BENGALURU, KARNATAKA-560034. 4 DIRECTORATE GENERAL, CENTRAL RESERVE POLICE FORCE (RECRUITMENT BRANCH) EAST BLOCK-078, LEVEL-04, SECTOR-01, R.K.PURAM, NEW DELHI-110066. SRI. R

SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU
DSGI, CGC DAYA SINDHU SREEHARI N S, K.S.PRENNJITH KUMAR -
39- THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 13.04.2023, ALONG WITH WA.1498/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING: -40-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE
HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH
DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WA NO. 1808 OF 2022
AGAINST THE ORDER/JUDGMENTWP(C) 23366/2021 OF HIGH
COURT OF KERALA

APPELLANT/S: 1 UNION OF INDIA REPRESENTED BY ITS
SECRETARY, MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE &
PENSION., DEPARTMENT OF PERSONAL & TRAINING NORTH
BLOCK, NEW DELHI, PIN - 110001 2 MINISTRY OF HOME AFFAIRS
REPRESENTED BY ITS SECRETARY, NORTH BLOCK, NEW DELHI,
PIN - 3 STAFF SELECTION COMMISSION REPRESENTED BY ITS
REGIONAL DIRECTOR (KKR), 1ST FLOOR, "E" WING, KENDRIYA
SADAN, KORAMANGALA, BENGALURU, KARNATAKA -, PIN - 560034
4 CENTRAL ARMED POLICE FORCE, REPRESENTED BY JOINT
SECRETARY, (COORDINATION & INTERNATIONAL COOPERATION),
MINISTRY OF HOME AFFAIRS, NORTH BLOCK, NEW DELHI, PIN -
110001 5 BORDER SECURITY FORCE REPRESENTED BY ITS
DIRECTOR GENERAL BLOCK 10, CGO COMPLEX, LODHI ROAD,
NEW DELHI, PIN - 110003 -41- 6 CENTRAL RESERVE POLICE
FORCE, REPRESENTED BY ITS DIRECTORATE GENERAL, EAST
BLOCK -7, LEVEL 04, SECTOR - 01, R.K. PURAM, NEW DELHI -, PIN -
110066 7 CENTRAL INDUSTRIAL SECURITY FORCE REPRESENTED
BY ITS DIRECTOR GENERAL, 13, CGO COMPLEX, LODHI ROAD,
NEW DELHI - ., PIN - 110003 8 INDO-TIBETAN BORDER POLICE,

REPRESENTED BY ITS DIRECTOR GENERAL, BLOCK 02, CGO COMPLEX, LODHI ROAD, NEW DELHI - ., PIN - 110003 9 SASHASTRA SEEMA BAL REPRESENTED BY ITS DIRECTOR GENERAL, EAST BLOCK - V, R.K.PURAM, NEW DELHI, PIN - 110066 10 ASSAM RIFLES REPRESENTED BY ITS DIRECTOR GENERAL, HQ DGAR, ASSAM RIFLES, SHILLONG, MEGHALAYA - 793002., PIN - 793002 11 NATIONAL INVESTIGATION AGENCY REPRESENTED BY ITS DIRECTOR GENERAL, CGO COMPLEX, LODHI ROAD, NEW DELHI, PIN - 110003 12 DEPUTY INSPECTOR GENERAL OF POLICE GROUP CENTRE, CENTRAL RESERVE POLICE FORCE, PALLIPURAM, THIRUVANANTHAPURAM - ., PIN - 695316 13 INSPECTOR GENERAL FRONTIER HEAD QUARTERS, BORDER SECURITY FORCE, YALAHANKA P.O, BANGALORE, KARNATAKA - ., PIN - 560064 14 ADDITIONAL DIRECTOR GENERAL (MEDICAL), CAPF'S NSG & AR, WEST BLOCK, R.K.PURAM, NEW DELHI - ., PIN - SRI. R SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU DSGI, CGC DAYA SINDHU SREEHARI N S -42- RESPONDENT/S: 1 VISHNU P O AGED 23 YEARS VISHNU P.O. AGED 23 YEARS S/O. OMANAKUTTAN, RESIDING AT PERUMPADAVATHIL, KENICHIRA P.O, WAYANAD, KERALA - 673596., ROLL NO. 9206014523., PIN - 673596 2 SUHAIL A.H AGED 23 YEARS S/O. OMANAKUTTAN, RESIDING AT PERUMPADAVATHIL, KENICHIRA P.O, WAYANAD, KERALA - ROLL NO. 9206014523, PIN - 3 ANANTHAKRISHNAN K AGED 22 YEARS /O. KUMAR RAJ, RESIDING AT DHANAM NIVAS, VADAKKEPAVADI, TARUR-I, PAZHAMBALAMCODE P.O, ALATHUR, PALAKKAD, KERALA - ROLL NO. 9212005715, PIN - 678544 4 HARIKRISHNAN S, AGED 24 YEARS AGED 24 YEARS S/O. SASIDHARAN PILLAI, RESIDING AT KOIKKAL VEEDU, PANDITHITTA, THALAVOOR, AMBALANIRAPPU P.O, KOLLAM, KERALA - 691508 ROLL NO. 9211015594., PIN - 691508 5 RAMJITH P.C.M AGED 23 YEARS S/O. RAJAN, RESIDING AT PUVATHUM CHALIL MEETHAL, CHERUVANNUR P.O, KOZHIKODE, KERALA - 673524, ROLL. NO. 9206019822., PIN - 673524 6

MUHAMMED JASIR K.C AGED 23 YEARS S/O. MUSTHAFA, RESIDING AT KUZHIYANCHERI HOUSE, OORAKAM, MELMURI P.O, MALAPPURAM, KERALA - 676519, ROLL NO. 9206017098., PIN - 676519 -43- 7 MAJILESH A.K AGED 29 YEARS S/O. MANOJAN, RESIDING AT PANAMBRAKOYILOTH, KUNINGADU P.O, VADAKARA, KOZHIKODE, KERALA - 673503, ROLL NO. 9206021875., PIN - 673503 8 MANU P. AGED 25 YEARS S/O. SANKARAN P, RESIDING AT PAROTH HOUSE, MELANNAM, CHATHANGOTTUPURAM P.O, PORUR, MALAPPURAM, KERALA - 679328, ROLL.NO. 9206020439., PIN - 679328 9 BIPIN B. AGED 26 YEARS S/O. BAHULEYAN K. RESIDING AT ATHIRA, PARAKKARA P.O, PATHANAMTHITTA, KERALA - 691525, ROLL NO. 9211016248., PIN - 10 PRASAD E.K AGED 27 YEARS RESIDING AT PRASADAM SCHOOL PADI, THIRUVALI P.O, MALAPPURAM, KERALA - 676123, ROLL NO. 9206007848., PIN - 11 MOHAMED IRSHAD M AGED 23 YEARS S/O. MOHAMED BASHEER M, RESIDING AT MUTTIKKAL KARA, VETTATHUR P.O, PERINTHALMANNA, MALAPPURAM, KERALA - . ROLL NO. 9206015396, PIN - 667326 12 BABU E. AGED 27 YEARS S/O. RAMAKRISHNAN RESIDING AT KUZHINJUPOKKIL HOUSE, PALAPPURAM P.O, OTTAPPALAM, PALAPPURAM, PALAKKAD, KERALA - 679103, ROLL. NO. 9212004611., PIN - 679103 13 RANJITH K AGED 23 YEARS S/O. MOHANAN K., RESIDING AT KEERTHI VEEDU, PALAPPURAM -44- P.O, OTTAPPALAM, PALAKKAD, KERALA - 679103. ROLL. NO. 9212004355., PIN - 679103 14 SUGUL M AGED 25 YEARS S/O. KRISHNAN KUTTY, RESIDING AT MOOCHIKKAL, ARIYALLUR, MALAPPURAM, KERALA - 676312, ROLL NO. 9206010675, PIN - 15 AKSHAY P.V AGED 22 YEARS S/O.PALLIYALI VENUGOPAL, RESIDING AT PALLIYALI HOUSE, VELLIYAMPADAM, CHANDAKKUNNU P.O, MALAPPURAM, KERALA - 679329, ROLL. NO. 9206005056., PIN - 679329 16 SARATH P AGED 26 YEARS S/O. BALAKRISHNAN P., RESIDING AT PERIYADATH HOUSE, UNNIYAMVELICHAM, MADIKAL P.O, KASARAGODE, KERALA - 671314, ROLL. NO. 9206017240, PIN - 671314 17 ANOOP

KUMAR B.A, AGED 22 YEARS S/O. M.D. BABUKUTTAN, RESIDING AT MUKUNNATHU VEEDU, KODAKKU, KOKKAD P.O, KOTTARAKARA, KOLLAM, KERALA - 691538. ROLL NO. 9211015711., PIN - 691538 18 ADARSH M, AGED 24 YEARS S/O. MOHANA KUMAR P, RESIDING AT POTTAYIL PUTHEN VEEDU, PULIMANCODE, PERUMKADAVILA P.O, THIRUVANANTHAPURAM, KERALA - 695124, ROLL NO. 9211011937., PIN - 695124 19 SHEFEEK B, AGED 23 YEARS S/O. BADHARUDHEEN, RESIDING AT KOTTAPPARAMBU, KAVASSERI P.O, PALAKKAD, KERALA - 678543, ROLL NO. 9212002027., PIN - -45- BY ADV NAVOD PRASANNAN PATTALI THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13.04.2023, ALONG WITH WA.1498/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -46-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI & THE HONOURABLE MR.JUSTICE BASANT BALAJI THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945 WA NO. 1807 OF 2022 AGAINST THE ORDER/JUDGMENTWP(C) 25705/2021 OF HIGH COURT OF KERALA

APPELLANT/S: 1 UNION OF INDIA UNION OF INDIA REPRESENTED BY ITS SECRETARY, MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE AND PENSION, DEPARTMENT OF PERSONAL AND TRAINING, NORTH BLOCK, NEW DELHI-110001., PIN - 110001 2 MINISTRY OF HOME AFFAIRS REPRESENTED BY ITS SECRETARY, NORTH BLOCK, NEW DELHI- 110001., PIN - 110001 3 STAFF SELECTION COMMISSION REPRESENTED BY ITS REGIONAL DIRECTOR (KKR), 1ST FLOOR, "E" WING, KENDRIYA SADAN, KORAMANGALA, BENGALURU, KARNATAKA-560034., PIN - 560034 4 CENTRAL ARMED POLICE FORCES REPRESENTED BY JOINT SECRETARY, (COORDINATION AND INTERNATIONAL COOPERATION), MINISTRY OF HOME AFFAIRS, NORTH BLOCK,

NEW DELHI-110001., PIN - 560034 5 BORDER SECURITY FORCE REPRESENTED BY ITS DIRECTOR GENERAL, BLOCK 10, CGO -47-COMPLEX, LODHI ROAD, NEW DELHI-110003., PIN - 110003 6 CENTRAL RESERVE POLICE FORCE, REPRESENTED BY ITS DIRECTORATE GENERAL, EAST BLOCK-07, LEVEL-04, SECTOR-01, R.K.PURAM, NEW DELHI-110066., PIN - 110066 7 CENTRAL INDUSTRIAL SECURITY FORCE, REPRESENTED BY ITS DIRECTOR GENERAL, 13, CGO COMPLEX, LODHI ROAD, NEW DELHI-110003., PIN - 110003 8 INDO-TIBETAN BORDER POLICE REPRESENTED BY ITS DIRECTOR GENERAL, BLOCK 02, CGO COMPLEX, LODHI ROAD, NEW DELHI-110003., PIN - 110003 9 SASHASTRA SEEMA BAL REPRESENTED BY ITS DIRECTOR GENERAL, EAST BLOCK V, R.K.PURAM, NEW DELHI-110066., PIN - 110066 10 ASSAM RIFLES REPRESENTED BY ITS DIRECTOR GENERAL, HQ DGAR, ASSAM RIFLES, SHILLONG, MEGHALAYA-793002., PIN - 793002 11 NATIONAL INVESTIGATION AGENCY, REPRESENTED BY ITS DIRECTOR GENERAL, CGO COMPLEX, LODHI ROAD, NEW DELHI-110003., PIN - 110003 12 DEPUTY INSPECTOR GENERAL OF POLICE, GROUP CENTRE, CENTRAL RESERVE POLICE FORCE, PALLIPURAM, THIRUVANANTHAPURAM-695316., PIN - 695316 13 INSPECTOR GENERAL, FRONTIER HEAD QUARTERS, BORDER SECURITY FORCE, YELAHANKA P.O., BANGALORE, KARNATAKA-560064., PIN - 560004 14 ADDITIONAL DIRECTOR GENERAL (MEDICAL) CAPF'S, NSG & AR, WEST BLOCK, R.K.PURAM, NEW DELHI- 110066., PIN - 110066 -48- SRI. R SANKARANARAYANAN ADDITIONAL SOLICITOR GENERAL S.MANU DSGI, CGC DAYA SINDHU SREEHARI N S RESPONDENT/S: 1 SRISHIL P P AGED 24 YEARS SRISHIL P.P., AGED 24 YEARS S/O. DINESHAN P.P., RESIDING AT PUTHENPURAYIL, VADAKKUMBAD, MUNDALLOOR P.O., KANNUR- 670622, ROLL NO.9206007697, PIN - 670622 2 SRI. JIJIN KUMAR M.T. AGED 28 YEARS S/O KUNHIKANNAN.E., RESIDING AT EDAMEN HOUSE, THIRUNELLIKOVVAL, MANIYAT, KASARAGOD-671310, ROLL NO.9206005017., PIN - 671310 3

SRI.ATHUL KUMAR.V AGED 25 YEARS S/O. ANEESH KUMAR.V, RESIDING AT VENGATTU, P.C.PALAM PO., KAKKUR, KOZHIKODE-673585, ROLL NO.9206004967., PIN - 673585 4 SRI.SAYANDH K.C AGED 24 YEARS S/O. CHANDRAN K.R, RESIDING AT VANAJALAYAM, UTC, MUZHAPPILANGAD, KANNUR-670662, ROLL NO.9206004577., PIN - 5 SRI.BINU K.B, AGED 24 YEARS S/O. BABUJI, RESIDING AT KIZHAKKE VALAYIL, PATTAMTHURUTHU P.O, KOLLAM-691601, ROLL NO.9211001343., PIN - 692601 6 SRI.KAPIL ANAND.C AGED 26 YEARS S/O. SIVANANDAN.C, RESIDING AT CHEMBRA, BADIRUR, MAKKADA, KAKKODI, KIZHAKKUMURI, KOZHIKODE-673611, ROLL -49- NO.9206014768., PIN - 673611 7 SRI.AKSHAY KUMAR K.V AGED 27 YEARS S/O. SADASIVAN K.V, RESIDING AT KARTHIKA, VELUTHEDATH THAZHAM, MAKKADA, KAKKODI, KOZHIKODE-673611, ROLL NO.9206014756, PIN - 673611 8 SRI. RAHUL E.K AGED 23 YEARS S/O. SURENDRAN NAIR, RESIDING AT EDAKANDY HOUSE, CHALIKODE, KODUVALLY, KIZHAKKOTH, ELETTIL P.O., KOZHIKODE- 673572, ROLL NO.9206011141., PIN - 673572 9 SRI.AKSHAY.P AGED 24 YEARS S/O.BABU.P, RESIDING AT PUTHURUMMAL, OLOPPARA, CHELANNUR, KANNAN KARA, KOZHIKODE-673616, ROLL NO.9206001174., PIN - 673616 10 SRI.VISAKH N.P AGED 23 YEARS S/O. RAMACHANDRAN, RESIDING AT NELLIYULLAPARAMBIL, KANNATTI, CHANGAROTH, KADIVANGAD, KOZHIKODE-673525, ROLL NO.9206015858., PIN - 673525 11 SRI.HARIKISHOR O.H AGED 25 YEARS S/O. RAMACHANDRAN, RESIDING AT NELLIYULLAPARAMBIL, KANNATTI, CHANGAROTH, KADIVANGAD, KOZHIKODE-673525, ROLL NO.9206015858., PIN - 673582 12 SRI.DINAPRABHU K.V AGED 24 YEARS S/O. SADASIVAN K.P., RESIDING AT CHEYYAKKARA MEETHAL, BADIRUR, MAKKADA, KAKKODI, KOZHIKODE-673611, ROLL NO.9206016750., PIN - 673611 -50- 13 SRI. AKSHAY KUMAR S.R AGED 22 YEARS S/O.RAVINDRAN NAIR, RESIDING AT PADINHARAKKARA MEETHAL, CHELANNUR, EDAKKARA P.O.,

KOZHIKODE-673616, ROLL NO.9206006913., PIN - 673616 14
SRI.ARUN.V AGED 26 YEARS S/O. RAJAN.V, RESIDING AT VEPPIL
PULIYAKKOTTUTHAZHAM, MAKKADA, KAKKODI, KIZHAKKUMURI,
KOZHIKODE-673611, ROLL NO.9206008167., PIN - 673611 15
SRI.MUHAMMED ASLAM.K, AGED 25 YEARS S/O.MOIDEEN KOYA.K,
RESIDING AT K.P.M.MANZIL, AREEKKAD, NALLALAM, KOZHIKODE-
673027, ROLL NO.9206000965., PIN - 673027 16 SRI.SUNEESH A.K
AGED 27 YEARS S/O. SURENDRAN, RESIDING AT
AMMACHUKANDY, URATH, KUTTIYADI, KOZHIKODE-673508, ROLL
NO.9206016749., PIN - 673508 17 SRI.ARUN BABU, AGED 24 YEARS
S/O. BABU.K, RESIDING AT KUNNUMPURATHU VEEDU, ESM
COLONY, KULATHUPUZZHA, KOLLAM-691310, ROLL
NO.9211003824., PIN - 691310 18 SRI.SREERAG.M.P, AGED 22
YEARS S/O.PRADEEPAN M.P., RESIDING AT MANNATHI PARAMBIL,
PARAMBATH, THALAKKULATHUR, KOZHIKODE-673317, ROLL
NO.9206024098., PIN - 673317 19 SRI.MIDHUN.M, AGED 24 YEARS
S/O.P.MADHUSOODHANAN, RESIDING AT PALLIPPURAM HOUSE,
PARAPPA, BERIKKULAM P.O., KASARAGOD-671533, ROLL -51-
NO.9206005723., PIN - 671533 20 SRI.NITHIN VIJAYAN AGED 23
YEARS S/O.VIJAYAN, RESIDING AT VANALLOOR, PADEETTATHIL,
VARAVILA, CLAPPANA, KOLLAM-690528, ROLL NO.9211004066., PIN
- 690528 21 SRI.NIKHIL D.A, AGED 23 YEARS S/O.DAMODARA.K,
RESIDING AT BABURAYA NILAYA, ARAMANGANAM, KALNAD,
KASARAGOD-671317, ROLL NO.9008000459, PIN - 671317 22
SRI.RAHUL KRISHNA AGED 24 YEARS S/O.RADHAKRISHNAN NAIR,
RESIDING AT KRISHNA NIVAS, KUNNATHUKARA, ARANMULA P.O.,
PATHANAMTHITTA- 689533,ROLL NO.9211002028., PIN - 689533 23
SRI.SHABITH.K AGED 25 YEARS S/O. BHASKARAN.K, RESIDING AT
KOROTH HOUSE, KAVUMBHAGAM P.O., UMMENCHIRA, KANNUR-
670649, ROLL NO.9206014514, PIN - 670649 24 SRI.SRUTHEESH K.C
AGED 27 YEARS S/O. DEVADASAN, RESIDING AT
KARUMBECHELLIL, PAYAMBRA, KARUVATTUR, KOZHIKODE-
673571, ROLL NO.9206015836., PIN - 25 SRI.SUMESH MOHAN AGED

27 YEARS S/O.MOHANAN, RESIDING AT VADAKKINI HOUSE, THERMALA, NUCHIYAD, KANNUR-670705, ROLL NO.9206001794, PIN - 670705 26 SRI.AKHIL.G AGED 24 YEARS -52- S/O.GANGADHARAN.R, RESIDING AT KIDANGIL, KOTTAYAM P.O, VALLICOE, PATHANAMTHITTA-689656. ROLL NO.9211013130., PIN - 27 SRI.AKHILESH.K AGED 24 YEARS S/O.KARTHIKEYAN, RESIDING AT VALLATTOOR KIZHAKKATHIL, THODIYOOR, KOLLAM-690523, ROLL NO.9211012149., PIN - 690523 28 SRI.AKSHAY KUMAR P.P., AGED 24 YEARS AGED 25 YEARS S/O. SREEDHARAN P.P., RESIDING AT MUNGATH, BANKALAM P.O., MADIKAI, KASARAGOD-671314, ROLL NO.9206002358., PIN - 671314 29 SRI.SUJEEV.S, AGED 27 YEARS S/O. SUDHAKARAN, RESIDING AT SUJEEV BHAVANAM, KIDAPRAM, MUNDROTHURUTHU, THEVALAKKARA, KOLLAM-690538, ROLL NO.9211003902., PIN - 690538 30 SRI.JISHNU E.V AGED 24 YEARS S/O.NARAYANANKUTTY T.P., RESIDING AT EZHIL VEEDU, ALATHATTU, KOOVERI, KANNUR-670581, ROLL NO.9206004579., PIN - 670581 31 SRI.JAYAKRISHNAN.J.S AGED 26 YEARS S/O.SUKU T.K., RESIDING AT JAYAKRISHNAN BHAVAN, ERAVIPEROOR P.O., THIRUVALLA, PATHANAMTHITTA-689542, ROLL NO.9204006043., PIN - 689542 32 SRI.NAKULNATH A.G, AGED 25 YEARS S/O.P.GOPINATHAN NAIR, RESIDING AT ADIYODI VEEDU, BIRIKULAM, PARAPPA, KASARAGOD-671533, ROLL NO.9206001546., PIN - 671533 -53- 33 SRI.ABINLAL M.K AGED 25 YEARS S/O.P.GOPINATHAN NAIR, RESIDING AT ADIYODI VEEDU, BIRIKULAM, PARAPPA, KASARAGOD-671533, ROLL NO.9206001546., PIN - 671533 34 SRI.SUDHEESH V.C AGED 28 YEARS S/O.CHANDRAN, RESIDING AT VENGORA HOUSE, PARIKKALAM P.O., PARIKKALAM, NUCHIYADA, KANNUR-670705, ROLL NO.9206016119., PIN - 670705 35 SRI.ARUN KUMAR.A, AGED 24 YEARS S/O.ANIL KUMAR.C, RESIDING AT KIZHAKKEKOTTARATHIL, GRAMAM, ENNAKKAD P.O., ALAPPUZHA-689624, ROLL NO.9211004138., PIN - 689624 36 SRI.AKHIL P.K AGED 24 YEARS S/O. PADMANABHAN, RESIDING AT

PULIYATH, PALERI TOWN, KUTTIYADI, KOZHIKODE-673508, ROLL NO.9206012277., PIN - 673508 37 SRI.NISHAK P.K, AGED 26 YEARS S/O.VINODAN, RESIDING AT MAVULLATHARA, PATTARKULAGARA SCHOOL, KAYAKKODI, KOZHIKODE-673513, ROLL NO.9206023834., PIN - 673513 38 SRI.RAHUL.N, AGED 25 YEARS S/O.RAMESHAN.T, RESIDING AT NAMATH HOUSE, KAVUMBHAGAM P.O., UMMENCHIRA, THALASSERY, KANNUR-670649, ROLL NO.9206015882, PIN - 670649 39 SRI.MOHHAMED YASIN A.C AGED 27 YEARS S/O.CHERIYAKOYA K.C, RESIDING AT AYSHA CHETTA, WARD NO.6, KADMAT, LAKSHADWEEP-682556, ROLL NO.9204009991., PIN - -54- 40 SRI.MIDHUNRAJ K.K, AGED 27 YEARS S/O.RAJU M.P, RESIDING AT KUNNATHKUNUYIL, KALLODE, PERAMBRA, ERAVATTUR, KOZHIKODE-673525, ROLL NO.9206016375., PIN - 673525 41 SRI.MANULAL C.P AGED 24 YEARS S/O. SHIVAN, RESIDING AT CHOOLAPRAMBATH, IRINGAL, KOTTAKAL IGL, KOZHIKODE-673521, ROLL NO.9206016968., PIN - 42 KUM. SABAHA THANSEEHA E.K., AGED 21 YEARS D/O.ABOOBACKER E.K, RESIDING AT E.K. HOUSE, ANANGADI, KADALUNDI NAGARAM P.O., VALLIKKUNU, MALAPPURAM-673314, ROLL NO.9206019381., PIN - 673314 43 SRI.SYAM PRASAD.S AGED 24 YEARS S/O. SIVA PRASAD.V, RESIDING AT VISHNU VIHAR, MEENAMBALAM, PARIPPALLY, PUTHENKULAM P.O., POOTHAKKULAM, KOLLAM-691302, ROLL NO.9211016727., PIN - 44 SRI.SACHIN.S, AGED 22 YEARS S/O. SURESHKUMAR.G, RESIDING AT THIRUVONAM KULATHINKARA VEEDU, VELLANAD P.O., THIRUVANANTHAPURAM-695543, ROLL NO.9211007542., PIN - 45 NAVEEN T.P. AGED 25 YEARS S/O. NARAYANAN V.V., RESIDING AT ANNUR (PO), PAYYANUR (VAI), KANNUR-670307, ROLL NO.9206002322., PIN - 671310 -55- 46 SRI ARUN P.P. AGED 24 YEARS S/O.UPENDRAN.C, RESIDING AT PUTHIYA PURAYIL HOUSE, UDINUR, THEKKUPURAM, KASARAGOD-671310, ROLL NO.9206005436, PIN - 671310 47 SRI.BIPIN.K AGED 23 YEARS S/O.PADMANABHAN P, RESIDING AT KOOTHUR HOUSE,

ALANTHATTA, KASARAGOD-671313, ROLL NO.9206008959., PIN - 48
SRI.SANDEEP.S AGED 26 YEARS S/O.SASI.V, RESIDING AT
PUTHENTHARAYIL (H), AKKAL P.O., KAYAKKUNNUMMAL,
KOZHIKODE-673513, ROLL NO.9206001418., PIN - 673513 49
SRI.ASWANTH.M AGED 26 YEARS S/O.CHANDRAN.C, RESIDING AT
MUNDATHADATHIL KEEZHATHUR, PATHIRIYAD, KANNUR-670741,
ROLL NO.9206004793., PIN - 670741 50 SRI.ANANTHU G.VISWAN
AGED 21 YEARS S/O.VISWAN.K, RESIDING AT KURUPPAMVEETIL
(H), KANNADIPOYIL P.O., BALUSSERY, KOZHIKODE-673612, ROLL
NO.9206002255, PIN - 673612 51 PRINCE.C AGED 24 YEARS S/O.
SHYJU.C, RESIDING AT ARIYILMEETHAL HOUSE, PALLIPPURAM,
OLAVANNA, KOZHIKODE, KERALA-673019, ROLL NO.9206005532.,
PIN - 673019 52 SRI.SUMITH P.B S/O.BABU P.V, RESIDING AT
POZHAMKANATH HOUSE, M.G.KAVU, KILLANNUR,
MULAMKUNATHKAVU P.O., THRISSUR, KERALA- -56- 680581, ROLL
NO.9212003904., PIN - 680581 53 SRI.SUBISH I.S, AGED 24 YEARS
S/O. SURENDRAN I.M, RESIDING AT INCHIKALAYIL HOUSE,
KULATHAZHAM, PARLIKKAD, THRISSUR, KERALA-680623, ROLL
NO.9212006342., PIN - 680623 54 SRI.AKHIL P.V, AGED 24 YEARS
S/O. RAJEENDRAN P.V, VISHNU KRIPA, THRIKKANNAPURAM,
POOKKODE, PATHAYAKUNNU, KANNUR, KERALA-670691, ROLL
NO.9206009550, PIN - 670691 55 SRI.DILIN DEVADAS AGED 26
YEARS S/O.DEVADAS, RESIDING AT ESWARAMANGALATH,
PARIKKALAM P.O., PARIKKALAM, NUCHIYAD, KANNUR, KERALA-
670705, ROLL NO.9206017071., PIN - 670705 56 SRI.BIJU.B, AGED 26
YEARS S/O.BABU.B, RESIDING AT SREEMANDIRAM, KANDALLOOR
NORTH, PATTOLI MARKET P.O., ALAPPUZHA, KERALA-690531,
ROLL NO.9211008306., PIN - 690531 57 SRI.ASHWIN C.N AGED 21
YEARS S/O.KUNHIKRISHNAN.P, RESIDING AT CHITTAYIKUNNON
NANGACHORE VEEDU, ALAKKAD NEAR KALARI, KANKOL P.O.,
PAYYANNUR, KANNUR, KERALA-670307, ROLL NO.9206017749.,
PIN -

BY ADVS. NAVOD PRASANNAN PATTALI VARUN C.VIJAY DIVYA CHANDRAN(K/959/2009) -57- THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13.04.2023, ALONG WITH WA.1498/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -58-

JUDGMENT

[WA Nos.1498/2022, 1808/2022, 1807/2022 and 4646/2022, 6955/2023,

S. V. Bhatti, J.

We have heard learned Assistant Solicitor General (ASG) Mr R Sankaranarayanan, Advocates Mr R Sanjith, Mr Kaleeswaram Raj, Mr K P S Suresh, Mr Navod Prasannan Pattali, Mr Varun C Vijay and Party-in-Person Mr Sahil S for the parties. Union of India and others/the appellants herein are respondents in the writ petitions.

2. Writ Appeals, W.A. Nos.1498/2022, 1807/2022 and

-59- 09.12.2021 in W.P.(C) Nos.16949/2021, 25705/2021 and 2.1 W.P.(C) Nos.19871/2022, 4646/2022, 20313/2022, by a few candidates who were the applicants for selection for the post of Constables (GD) in Central Armed Police Forces (CAPF), NIA, SSF and Rifleman (GD) in Assam Rifles (AR) which are Para-Police forces and Armed Forces (hereinafter, we would refer to the posts as Police/Armed Forces for short). 2.2 On 21.07.2018, the Staff Selection Commission (SSC)/3rd appellant in W.A. No.1498/2022 issued a notification for filling up 60210 vacancies of Police/Armed Forces in the Country. In the batch of Writ Appeals and Writ Petitions, the Court is concerned with the posts earmarked for the State of Kerala and the post remaining unfilled pursuant to the Court

order or otherwise. The present batch is substantially a third

-60- round of litigation arising under notification dated 21.07.2018. 2.3 The instant batch presents for consideration the legal maxim *actus curiae neminem gravabit*

means that an act of the Court shall prejudice no man and whether the Court can compel a party to perform an impossible act while implementing the directions issued by the Court in the

judgment under appeal. These polarities, in other words, deal

with the right to fair, legal and reasonable consideration of candidates included in the merit list for Employment. The other facet from the perspective of the Staff Selection Commission is adherence to all the recruitment rules, standards, reservations, qualifications etc. in the appointment of selected candidates. The circumstances surrounding the consideration of these polarities are not in dispute. Further, at none of the previous rounds of litigation, much less in the present batch the appellants filed a counter affidavit -61- contesting the writ prayers made by the applicants complaining a few grievances against the recruitment being completed pursuant to the notification dated 21.07.2018. This has led to a few additional grounds of challenge for implementing the judgment under appeal. To put an end to such avoidable issues, we directed the SSC to file a report on vacancies etc, which has been done by the SSC and at the appropriate stage of the judgment we will excerpt the details made available by the SSC.

3. The learned Counsel appearing for the parties have

treated W.A. No.1498/2022 as the lead case on issues of fact and law. The consideration of following chronology would relieve a significant part of the very detailed narrative given in the writ petitions. 3.1 On 21.07.2018, the Staff Selection Commission notified 60210 vacancies for recruitment to the posts of Police/ -62- Armed Forces in the Country. The recruitment process consists of three stages, namely (i) Computer Based Examination (CBE), (ii) Physical Standard Test (PST)/Physical Efficiency Test (PET) and (iii) Detailed Medical Examination (DME). Between 13.08.2019 and 05.10.2019, the Staff Selection Commission (SSC) conducted PST/PET. On 12.09.2019, the SSC declared the result and conducted DME between 09.01.2020 and 12.09.2020. 3.2 A few of the candidates who suffered rejection of their candidature on medical grounds by filing W.P.(C) No.16131/2020 approached this Court. A few other writ petitions have been filed challenging the rejection on medical grounds and refusing to make a few

appointments to the already declared vacancies. For our narrative, the other grievances of unsuccessful candidates in the first round of litigation are not adverted to having regard to the scope of -63- present adjudication, and, also for more than one reason, the scope of present prayer is beyond the concluded grievances of those candidates. In other words, the Court considered the issue of rejecting the candidates on medical grounds. This Court in W.P.(C) No.16131/2020 and batch, on 07.04.2021, directed stay of finalisation or kept in abeyance the finalised list of candidates by the SSC. In effect, the interim direction issued by the Court was stalling the entire recruitment process pursuant to notification dated 21.07.2018 meant for the whole of India. The appellants, represented by the learned Assistant Solicitor General of India, prayed for modifying the interim orders dated 07.04.2021 of this Court, i.e., keeping in abeyance the list finalised by the SSC. On 20.01.2021, this Court, after hearing the parties, particularly on the statement made for and on behalf of the appellants, modified the order in the following terms. -64-

The learned Assistant Solicitor General of India submits that there is an interim direction in these cases to keep in abeyance the finalisation of the list by the Staff Selection Commission. It is submitted by the learned ASG that the total number of petitioners who have approached this Court in this batch of writ petitions and the batch concerning normalisation of marks would only be around 150 and that the directions to keep the finalisation of the list in abeyance is unwarranted because the total number of vacancies are about 56,000 and that the selection is complete. It is, therefore, suggested that keeping apart 200 vacancies, which is the maximum number which could be involved even if all the cases presently on file before this Court are taken into account, the Staff Selection Commission may be permitted to finalise the selection in respect of the remaining vacancies. In the above view of the matter, there will be a direction to the respondents to keep apart 200 vacancies to accommodate the petitioners who have already approached this Court in this batch of writ petitions and the cases filed concerning the normalisation of marks in case they succeed in the writ petitions.

Keeping apart 200 vacancies for accommodating the petitioners who have

-65- already approached this Court, in case they succeed in the writ petitions, the Staff Selection Commission shall be permitted to finalise the list in respect of remaining vacancies. The candidates shall be informed of the pendency of the writ petitions before this Court. (emphasis supplied) 3.3 On 07.04.2021, W.P.(C) No.16131/2020 and batch

were disposed of, and the operative portion in the judgment

reads thus: 12. In the above view of the matter, W.P.(C).No.22475/2020, W.P.(C).No.23817/2020, W.P.(C).No. 25240/2020, W.P.(C).No. 25606/2020, W.P.(C).No. 25617/2020, W.P.(C).No.26339/2020, W.P.(C).No. W.P.(C).No.26799/2020, W.P.(C).No. 26817/2020 and W.P.(C). No.26818/2020 is dismissed.

13. In W.P.(C).No.16131/2020, the challenge is against the

rejection of the appeals preferred by the petitioners seeking the conduct of an RME to assess their fitness. The petitioners had been subjected to RME pursuant to interim -66- directions of this Court. The petitioners, who were found unfit by the RMB, are the petitioners in W.P.(C).No.26149/2020 as well. W.P.(C).No.16131/2020 is, therefore, closed.

14. In W.P.(C).No.26149/2020, some of the rejections are

based on objective criteria, including the candidates being overweight and the presence of varicose veins as revealed from the colour Doppler test or where it is admitted that surgery had been performed for varicose veins. Where the rejection is on such objective grounds there is no reason for a reconsideration at all. However, in the remaining cases, that is, where the rejection is specifically based only on findings of Pescavus, Pectus Excavatum, foreshortened thumb etc. and where the medical experts has opined that there is no such condition present or that the

deformity is due to the condition is negligible, the situation calls for a further examination. In the above view of the matter, petitioners Nos.3,4,6 &7 in W.P.(C). No.26149 of 2020 are liable to be subjected to a further RME to consider their fitness for selection.

15. However, in cases where the rejection is on the grounds

of Hypertension/tremors, Pes cavus, carrying angle etc. where the petitioners have produced material to show that the defect was negligible and where the procedure -67- prescribed has not been followed or the specific degree of the defect has not been recorded by the RMB, I am of the opinion that a further examination by the RMB is required.

16. In W.P.(C).Nos.22704/20, 23974/20, 23899/20, 24041/20,

conduct a further RME of such of the petitioners, who have secured the minimum cut off marks required for selection to assess their suitability. The RME shall be conducted within three weeks from the date of receipt of a copy of the judgment. The petitioners shall produce a copy of the writ petition before the RMB in evidence of their contentions. The results of the RME shall be informed to the petitioners. The RMB shall record the specific findings and the reasons for rejection. It is made clear that once the reports of further RME are made known to the candidates the selections can proceed taking note of the reports of the RMB.

3.4 The judgment dated 07.04.2021 has become final. The first part of the narrative is completed by briefly -68- recording that in terms of the directives issued by the common

judgment dated 07.04.2021 in W.P.(C) No.16131/2020 and

batch, the successful writ petitioners were subjected to review RME and as many as 43 candidates were appointed. It is significant to notice that by the modified interim order dated 20.01.2021:

(a) this Court accepted the appellants suggestion herein to set apart posts for considering the claims of successful writ petitioners. So, the posts set apart have gone out of reckoning from the notified vacancies,

(b) directed the appellants to notify the pendency of the writ petition in all the orders of appointment issued by the SSC,

(c) The judgment dated 07.04.2021 was complied with, and all the vacancies set apart were not filled up.

4. The petitioners in W.P.(C) No.16949/2021, i.e., those

on the rank list, approached this Court complaining inaction -69- or delay in completing the recruitment process initiated through the notification dated 21.07.2018. The gist of the petitioners case is that the petitioners have successfully completed all the stages of the recruitment process. On 28.01.2021, the result for the State of Kerala was declared. Considering the number of vacancies notified and filled up, disclose that the total number of notified/available vacancies of Police/Armed Forces set apart for the State of Kerala are not filled up or recruited by the SSC. Explaining the grievance further, the petitioners allege that nearly 243 vacancies were set apart for considering the claims of the petitioners in W.P.(C) No.24526/2020 and batch, i.e., first round litigation. All the petitioners in the first batch of writ petitions could not be finally successful and appointed, and therefore the posts set apart for accommodating those petitioners remained unfilled from the notified posts. By referring to this circumstance, the -70- narrative or argument is that because this Court had set apart nearly 243 vacancies, considering all eligible candidates according to their merit/rank was not complete and comprehensive. In other words, reducing the number by 243 and odd posts has taken away the due consideration of the applications of the petitioners in the present batch as per the notification along with other eligible candidates in the same recruitment process. 4.1 It is further contended that the action of the SSC in not completing the recruitment for the available unfilled vacancies with the available candidates from the merit list is unconstitutional, arbitrary, denial of fair and reasonable opportunity, and not according to the Rules of Recruitment adopted by the SCC. Therefore, in effect, the 26 petitioners in

W.P.(C) No.16949/2021 pray for a direction to the SSC to complete the recruitment process concerning the unfilled -71- vacancies in the notification dated 21.07.2018. As noted earlier the appellants have not filed reply nor contested the prayers. Through common judgment impugned in the appeals, the learned Single Judge disposed of the writ petitions as follows. 25. In the result all the writ petitions are disposed of as follows:

1. *** **

2. *** **

3. There will be a direction to the staff selection

commission to complete the selection process and after completing all formalities, to publish the results within a period of one month from the date of receipt of a copy of this judgment.

4. In the light of averments in W.P.(C) No.25705/2021,

W.P.(C) 23366/2021 & W.P.(C) No.16949/2021, that several vacancies are available than disclosed by the staff selection commission and that they shall also be included in the common pool for being filled up from the present vacancy, there shall be a direction to the staff selection commission to fill up all available vacancies including that of ex-servicemen, in accordance with the notification and the

-72- Rules. The Commission shall take into consideration whether the vacancies referred by the writ petitioners in W.P.(C) No.16949/2021, W.P.(C) No.25705/2021 and W.P.(C) No.23366/2021 are available. Hence the Writ Appeal at the instance of the Union of India and others.

5. The learned Assistant Solicitor General appearing

for the appellants contends that the directions in paragraph 25.4 of the common judgment are illegal and unconstitutional. The appellants could not take up the recruitment for the 243 and odd posts because of the directives issued by this

Court.

In compliance with the directions in the common judgment

dated 07.04.2021, a few candidates were subjected to DME. The candidates found fully suitable and meritorious were appointed as part of a continuing selection process. The SSC has not taken up the vacancies in the notified posts for further -73- selection as such inclusion and consideration of candidates from the merit list of 2018 would necessarily derail the selection process already completed, appointment orders issued, and training undergone by the successful candidates. The option for various posts, because adding the posts back to the common lot would disturb the vertical and horizontal reservation considered in the recruitment process already completed. The vacancies are taken up for completing the selection from the merit list; such a course of action would derail the entire selection process completed and concluded. Therefore, the directives in the judgment under appeal to fill all available vacancies, including that of Ex-Service Men under the notification dated 21.07.2018 as per the Rules, is impossible of performance. Secondly, such a course of action by the SSC will open up floodgates of the next round of litigation for the posts notified and earmarked for the State of Kerala. Firstly, -74- it is argued that, regarding the settled position of law, namely that the State has the discretion to limit the appointments to less posts than what has been notified, is ignored by the common judgment under appeal. Now the direction issued compels the appellants to either redo the entire exercise or derail the completed selection process. 5.1 The thrust of the argument of learned ASG is more on the practicability of implementing the directions in the

judgment under appeal without disturbing the process of

selection already conducted by the SSC. In other words, the impossibility of performance is the argument canvassed by the appellants. This Court, by orders dated 05.12.2022 and 23.01.2023, issued the following directives on the feasibility or practicability of implementing the orders. The orders read as follows: Order dated 05.12.2022 -75-

.....We make it clear that in the meanwhile, the operation of the common judgment impugned in these Writ Appeals shall remain stayed for the limited purpose of ensuring that the contempt proceedings, that have since been initiated, are not proceeded with during the pendency of these Writ Appeals. We also make it clear that we expect the appellants herein to come up with a definite plan as to how they propose to fill up the remaining unfilled vacancies from among those who participated in the selection process pursuant to Ext.P1 notification.

Order dated 23.01.2023

The learned counsel appearing for the writ petitioner/respondents herein responding to the difficulties now stated by the appellants have made a few suggestions, which according to them can present a definite plan without deviations to the process already completed. For more than one reason, we are not referring to the deliberations we have undertaken on the submissions made by all the counsel appearing for the parties. Having heard them, we are of the view that the time now sought by the appellants is reasonable and well- intended. Therefore, the request for adjournment is accepted.

-76- In compliance with the directives, the SSC has taken up the exercise of filling up the unfilled vacancies of 2018 without reducing the cut-off mark or, it is stated, compromising any of the parameters set for the selection of Personnel in Police/Armed Forces. The outcome of such exercise has been placed before the Court by Memo in an online sealed cover.

6. The learned Counsel appearing for the candidates

contend that taking out 243 and odd posts from the available number of vacancies by the interim order dated 20.01.2021 per se has caused or resulted in injustice to the otherwise eligible candidates. It is argued that upon elimination/rejection of the petitioners in the earlier round of litigations, had the recruitment process been

allowed to be completed for the notified vacancies, the cases of these candidates would have been considered if otherwise found suitable, qualified and eligible; they would have been appointed as Police/Armed -77- Forces. The denial of fair consideration occasioned by the interim order dated 20.01.2021. The Counsel, in their submission, make no bones of the argument that injustice has occasioned from the interim order and it is immaterial whether it is at the instance of the Union of India or this Court. Therefore, going by the legal maxim *actus curiae neminem gravabit*, the Court does justice to the unemployed applicants by issuing appropriate directions to complete the recruitment process for all the unfilled vacancies, namely, vacancies kept apart, excluding those appointed according to the directions in W.P.(C) No.16131/2020 and batch. 6.1 The Counsel contend that the petitioners are not parties to the earlier round of litigation, and behind the back, the right to fair consideration in the selection process has been denied. Therefore, the appellants' action of carrying forward all the unfilled vacancies, including Ex-Service Men, -78- to the recruitment occasioning in subsequent years is illegal and unconstitutional. A substantial number of petitioners are eligible for appointment and have completed all the stages of the recruitment process. Non-consideration by the SSC, the eligible and qualified candidate is remedied by the common

judgment under appeal. It is vehemently argued that the posts

for which the selection process was completed constitute a block, and the posts unfilled, either on account of Court orders or non-joining report, as a separate block, and the successful candidates having accepted the order of appointment with the knowledge of pending litigation cannot claim any right to revisit the option given by them or claim change of forces. The selection process will be from the eligible and available candidates as per the rank list and the posts unfilled in the notification dated 21.07.2018, on the other hand. The Counsel pray for dismissing the appeals. -79- 6.2 The Counsel appearing in the Writ Petitions pray for a direction by following the common judgment dated 09.12.2021 in W.P.(C) No.26189/2020 and batch. Hence it is needless to consider these grievances independently and that the outcome of the appeals would decide the issues in the batch of Writ Petitions.

7. We have noted the rival contentions and perused the record including the details furnished to us in sealed cover.

8. The following questions arise for our consideration:

(i) Are the directions in paragraph 25.4 of the judgment under appeal legal and tenable?

(ia) whether the fair and procedural consideration of cases of

petitioners have been denied on account of interim direction dated 20.01.2021 and the legal maxim *actus curiae neminem gravabit* is attracted to the case on hand? - 80-

(ii) Do the petitioners have an unqualified and absolute right to consider their cases against all the unfilled notified vacancies without regard to the discretion of the SSC?

(iii) Should the appellants, by referring to the impossibility of

performance or performance at great risk of exposure to litigation and disturbance of concluded selection process, allowed to deny the legal consideration of the cases of the petitioners/respondents herein?

(iv) Whether the directions in paragraph 25.4 are tenable or not, and, alternatively, tenable and implementable, to what extent? Consideration

9. The legal maxim *actus curiae neminem gravabit* in

*Bhupinder Singh v. Unitech Ltd.*¹, the Supreme Court laid down 2023 SCC Online SC 321 -81- that as per the settled position of law, the act of the Court shall prejudice no one and in such a fact situation, the Court is under an obligation to undo the wrong done to a party by the act of the Court. The maxim *actus curiae neminem gravabit* shall be applicable. As per the settled law, any undeserved or unfair advantage gained by a party invoking the court's jurisdiction must be neutralised. The institution of litigation cannot be permitted to confer any benefit on a suitor by the act of the Court. We refer and appreciate the concept of *actus*

curiae neminem gravabit by referring to the ratio laid down in R N Jadi & Brothers v. Subhashchandra²; and State of Rajasthan v. Surendra Mohnot³ and apply the same to the case on hand. We are not adding further citations for conveying an axiomatic situation. The appellants, represented through learned ASG, do not

(2007) 6 SCC 420

(2014) 14 SCC 77

-82- dispute the principle and the admitted circumstances/orders resulting in taking out of the recruitment process as many as 243 and odd posts from reckoning, resulting in non- consideration of other eligible candidates in the rank list. 9.1 The question that begs our consideration is whether the concession given by the appellants herein to set apart 243 and odd posts in the first batch of writ petitions has denied proper and expected consideration of the cases of the petitioners herein. For the said purpose, we have directed the learned ASG to place the details on the probable effect or impact on the selection process had these 243 and odd posts been included in the pool of consideration by the appellants herein. The learned ASG has placed before us a select list in a sealed cover on the probability of a few of the petitioners herein coming within the zone of final consideration and resulting in the appointment of such candidates. So definitely, - 83- a few of the petitioners, falling within the zone of final selection, subject to DME, being appointed as Police Constable

(GD) in one division or the other has been denied even without

consideration, much less for permissible grounds. 9.2 It is axiomatic that the interim order merges with the final order, and in the case on hand, the Writ Petitions

were disposed of, and Writ Appeals filed against the judgment

dated 07.04.2021 were dismissed. Therefore, the posts kept apart have been considered only for the petitioners in the first round of litigation. With the unsuccessful candidates in that batch, the cases of other meritorious candidates down the merit list are not considered for selection by the SSC. Therefore, from a

plain appreciation of the sequence of events, we have no reason to observe that the petitioners have been denied objective, fair and lawful consideration because of setting apart 243 and odd posts on the appellants' statement -84- through learned ASG and the interim order of this Court dated 20.01.2021. It cannot but be held that the petitioners in this batch are subjected to prejudicial non-consideration and, more so, behind the back of these petitioners. Therefore, the maxim *actus curiae neminem gravabit* is attracted to the Writ Appeals on hand. Hence, this Court, in the present round of litigation, remedies the injustice occasioned to these candidates, within the four corners of the law, without disturbing the selection process completed by the SSC. 9.3 The above conclusion takes us to whether the petitioners have a vested or legal right to claim for demanding the filling of all the notified posts/vacancies in notification dated 21.07.2018. The question is of perennial consideration by the Courts of law, and we refer to the following judgments to appreciate the nature of the right of the candidates in the select list, discretion available to the employer/Government -85- to fill up such posts, where recruitment of such posts was found essential and necessary:

Manoj Manu v. Union of India, (2013) 12 SCC 171 : (2014) 2 SCC (L&S) 706: 2013 SCC OnLine SC 722 at page 177

11. The Court after making reference to the decision of the

Supreme Court in *State of Haryana v. Subash Chander Marwaha* [(1974) 3 SCC 220 : 1973 SCC (L&S) 488 : (1973) 2 LLJ 266] further observed as under: (*Neelima Shangla* case [*Neelima Shangla v. State of Haryana*, (1986) 4 SCC 268 : 1986 SCC (L&S) 759 : (1986) 3 SCR 785] , SCC p. 272, para 2)

2. However, as we said, the selection cannot arbitrarily be restricted to a few candidates, notwithstanding the number of vacancies and the availability of qualified candidates. There must be a conscious application of the mind of the Government, and the High Court before the number of persons selected for appointment is restricted. Any other interpretation would make Rule 8 of Part D meaningless. (emphasis supplied)

17. We are, therefore, of the opinion in the facts of the present case, the decision of UPSC in forwarding three names against requisition of Do PT for six vacancies was -86-

inappropriate. We, accordingly, allow the present appeal, set aside the order of the High Court [Manoj Manu v. Union of India, WP (C) No. 3297 of 2011, decided on 16-5-2011 (Del)] as well as the Tribunal [Manoj Manu v. Deptt. of Personnel and Training, OA No. 3511 of 2010, order dated 29-3-2011 (CAT)] and issue a mandamus to UPSC to forward the names of the next three candidates to Do PT for appointment to the post of Section Officer's grade. They shall get the seniority from the date when Rajesh Kumar Yadav was appointed to the said post. Their pay shall notionally be fixed, without any arrears of the pay and other allowances. No costs. Dinesh Kumar Kashyap v. South East Central Railway,

(2019) 12 SCC 798

Service Law - Appointment Non-appointment/Denial of appointment/Right to appointment Discretion not to appoint candidates from select list despite existence of vacant posts - Reiterated (per curiam), available to appointing authority, but same must be exercised for cogent reason - Though mere selection does not give any vested right to selected candidate to be appointed but where large number of posts are lying vacant, employer must give cogent reasons for not appointing selected candidates from replacement panel Not incumbent upon employer to fill all posts but discretion not to appoint must

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be exercised judiciously Arbitrariness is anathema to rule of law and State as employer is bound to act according to Art. 14 of the Constitution - Courts normally would not interfere with discretion not to fill up posts

but exercise of such discretion should not be arbitrary, capricious or whimsical -5798 Group D posts in South-East Central Railway (SECR) In terms - of Instruction dt. 2-7-2008 select list was to be prepared with 20% extra candidates to avoid shortfall in vacancies filled Respondent SECR not making any appointments from 20% extra candidates though 624 posts remaining vacant On facts held (per majority), decision of respondent SECR not appoint appellants from replacement panel despite existence of large number of vacancies, and without indicating any cogent reasons therefore was arbitrary Appellants directed to be appointed within stipulated time subject to stipulated conditions Per Hemant Gupta, J. (dissenting only on facts), such 20% candidates can at best be termed as wait listed candidates in eventuality of selected candidates failing to join and had no indefeasible right to appointment- Moreover, no candidate lower in merit was appointed Reason given by respondent that requirement to fill 624 posts was not felt pursuant to 2010.

-88- Shankarsan Dash v. Union of India, (1991) 3 SCC 47 : 1991 SCC (L&S) 800 : (1991) 17 ATC 95 at page 50

7. It is not correct to say that if a number of vacancies are

notified for appointment and adequate number of candidates are found fit, the successful candidates acquire an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal duty to fill up all or any of the vacancies. However, it does not mean that the State has the licence of acting in an arbitrary manner. The decision not to fill up the vacancies has to be taken bona fide for appropriate reasons. And if the vacancies or any of them are filled up, the State is bound to respect the comparative merit of the candidates, as reflected at the recruitment test, and no discrimination can be permitted.

This correct position has been consistently followed by this Court, and we do not find any discordant note in the decisions in *State of Haryana v. Subash Chander Marwaha* [(1974) 3 SCC 220 : 1973 SCC (L&S) 488 : (1974) 1 SCR 165] ,

-89- *Neelima Shangla v. State of Haryana* [(1986) 4 SCC 268 : 1986 SCC (L&S) 759] , or *Jatinder Kumar v. State of Punjab* [(1985) 1 SCC 122 : 1985 SCC (L&S) 174 : (1985) 1 SCR 899] .

State of H.P. v. Raj Kumar, 2022 SCC OnLine SC 680 11. There is yet another aspect of the question. Where advertisement is issued inviting applications for direct recruitment to a category of posts, and the advertisement expressly states that selection shall be made in accordance with the existing rules or Government orders, and if it further indicates the extent of reservations in favour of various categories, the selection of candidates in such a case must be made in accordance with the then existing rules and Government orders. Candidates who apply, and undergo written or viva voce test acquire vested right for being considered for selection in accordance with the terms and conditions contained in the advertisement, unless the advertisement itself indicates a contrary intention. Generally, a candidate has right to be considered in accordance with the terms and conditions set out in the advertisement as his right crystallises on the date of publication of advertisement, however he has no absolute right in the matter. If the recruitment Rules are amended retrospectively during the pendency of selection, in that

-90- event selection must be held in accordance with the amended Rules. Para 28

38. We hold that the Government has taken a conscious

decision not to fill up the posts under the old 1941 Rules. The impugned order of the High Court is set aside. We may at this stage point out that the problem seems to have been compounded by the inaction/casual approach of the Government detrimental to public interest. The State

Government shall now fill up the vacant posts in accordance with the 2004 Rules within a period of three months from today. All the eligible candidates who satisfy the criteria laid down under the 2004 Rules shall be considered. The entire process of recommendation and appointment shall be completed within three months from today. Para 54

Indian System of Medicine v. Susmi C.T., 2021 SCC OnLine SC 1188

25. The right of selected candidates (as those in a ranked list are) was explained by a five-judge bench of this court in *Shankersan Dash v. Union of India*⁷ in the following manner: -91-

It is not correct to say that if a number of vacancies are notified for appointment and adequate number of candidates are found fit, the successful candidates acquire an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection, they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal duty to fill up all or any of the vacancies. However, it does not mean that the State has the licence of acting in an arbitrary manner. The decision not to fill up the vacancies has to be taken bona fide for appropriate reasons. And if the vacancies or any of them are filled up, the State is bound to respect the comparative merit of the candidates, as reflected at the recruitment test, and no discrimination can be permitted..

Raj Rishi Mehra v. State of Punjab, (2013) 12 SCC 243 Service Law - Appointment - Waiting list - Entitlement of persons in - Reiterated, cannot claim appointment as a matter of right upon any vacancies becoming available - Recruitment to Punjab Civil Service Judicial Branch) - Appointment against posts which became available due to

resignation of two appointees, and unfilled posts of reserved category, from amongst wait-listed candidates - Entitlement of wait-listed candidates - Nature of - Held, in absence of any stipulation in recruitment rules imposing duty on appointing authority to make appointments from waiting list, decision taken by High Court on administrative side rejecting petitioner wait-listed candidates' claim for appointment against dereserved posts or posts vacated by general category candidates cannot be faulted - More so, because State Government had already approved fresh recruitment and State Public Service Commission had issued fresh advertisement for 71 posts including 6 reserved category posts a case where wait-listed candidates were given such a benefit. (Paras 14 and 20)

Union of India v. Kali Dass Batish, (2006) 1 SCC 779 : 2006 SCC (L&S) 225 : 2006 SCC OnLine SC 60 at page 788

16. In Punjab SEB v. Malkiat Singh [(2005) 9 SCC 22] this Court

reiterated (SCC p. 26, para 4) the observations of the Constitution Bench of this Court in Shankarsan Dash v. Union of India [(1991) 3 SCC 47 : 1991 SCC (L&S) 800 : (1991) 17 ATC 95] (SCC pp. 50-51, para 7) as under: -93-

7. It is not correct to say that if a number of vacancies are notified for appointment and adequate number of candidates are found fit, the successful candidates acquire an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal duty to fill up all or any of the vacancies. However, it does not mean that the State has the licence of acting in an arbitrary manner. The decision not to fill up the vacancies has to be taken bona fide for appropriate reasons. And if the vacancies or any of them are filled up, the State is bound to

respect the comparative merit of the candidates, as reflected at the recruitment test, and no discrimination can be permitted. This correct position has been consistently followed by this Court, and we do not find any discordant note in the decisions in *State of Haryana v. Subash Chander Marwaha* [(1974) 3 SCC 220 : 1973 SCC (L&S) 488] , *Neelima Shangla v. State of Haryana* [(1986) 4 SCC 268 : 1986 SCC (L&S) 759] or *Jatinder Kumar v. State of Punjab* [(1985) 1 SCC 122 : 1985 SCC (L&S) 174] . (emphasis supplied)

-94- This, in our view, is the correct approach to be adopted in dealing with a matter of this nature. *Union of India v. A. Shainamol*, 2021 SCC OnLine SC 962

28. The consistent view of this Court has been that even if

the name of the candidate appears in the merit list, such candidate has no right to claim appointment. The Constitution Bench in a judgment reported as *Shankarsan Dash* held as under: 7. It is not correct to say that if a number of vacancies are notified for appointment and adequate number of candidates are found fit, the successful candidates acquire an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal duty to fill up all or any of the vacancies. However, it does not mean that the State has the licence of acting in an arbitrary manner. The decision not to fill up the vacancies has to be taken bona fide for appropriate reasons. And if the vacancies or any of them are filled up, the State is bound to respect the comparative merit of the candidates, as reflected at the

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recruitment test, and no discrimination can be permitted. This correct position has been consistently followed by this Court, and we do not find

any discordant note in the decisions in *State of Haryana v. Subash Chander Marwaha* [(1974) 3 SCC 220 : 1973 SCC (L&S) 488 : (1974) 1 SCR 165], *Neelima Shangla v. State of Haryana* [(1986) 4 SCC 268 : 1986 SCC (L&S) 759], or *Jatinder Kumar v. State of Punjab* [(1985) 1 SCC 122 : 1985 SCC (L&S) 174 : (1985) 1 SCR 899].

10. In paragraph 25.4 of the judgment under appeal, it

has been noted that several vacancies are available, i.e., for further recruitment than the posts disclosed by the SSC. These vacancies are included in the common pool for being filled up from the present merit list/ rank list, and a direction was issued to the SSC to fill up all the available vacancies, including Ex-Service Men, in accordance with the notification and the Rules. The appellants complain against the said directives as either impossible of performance or performance at great risk and cost already involved in training candidates -96- appointed by the SSC. We appreciate the factual and legal position asserted by the appellants. Upon examining the circumstances in this case, the orders preceding the present round of litigation etc., the selection process has been completed after setting apart 243 and odd posts. There is no dispute by the Counsel for the candidates that including these posts in the continuous selection process could yield a comprehensive outcome. Including these posts in the filled-up vacancies will result in another consequence. Similarly, we are of the view that the directions issued in paragraph 25.4 in the judgment under appeal have not taken note of the discretion otherwise available to the SSC, in a given case, the limited appointment to less number of posts than what has been notified. Once we concede such discretion in favour of the SSC, any direction to fill the vacancies shall strictly conform to the Rules and the benchmark merit of the selection -97- process. The exercise of undoing the alleged injustice ought not to reopen concluded issues. Therefore, a balanced and legal approach is needed. 10.1 By keeping in view the ratio laid down in the binding precedents, we are persuaded to hold that the

directions in paragraph 25.4 of the common judgment

dated 09.12.2021 are very broad and proceed on the assumption that all the candidates included in the merit list have a right for consideration and appointment

till the last notified post. The direction in paragraph 25.4 further directs the completion of the selection process as per notification and the Rules. The recruitment of the available posts is revisited, as rightly pointed out by the learned ASG, a substantial portion of selection undertaken -98- by SSC, particularly for the State of Kerala, will get derailed and open up floodgates for the next round of litigation by the candidates already appointed and who have undergone the training. This Court appreciates the appellants' argument that the directions, as issued, are difficult to perform.

11. The above discussion takes us to what are the posts

for which, in the State of Kerala, the selection process was completed and what are the unfilled posts available without disturbing or deviating from the completed and concluded selection process, how the right of petitioners for fair consideration be protected? 11.1 To ascertain the total number of notified and filled- up posts and unfilled vacancies, we refer to the Memo filed by the appellants pursuant to our direction dated 22.03.2023, -99- which reads as follows: Para-1:

A. Details of Female vacancies SC

Balance 26 1 62 154 243 Vacancies

Filled	25	0	62	143
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Balance 185 8 233 897 1323 Vacancies Filled 145 8 233 888 1274 Unfilled 40 0 0

9 49 Para-2: Force-wise details of filled and unfilled vacancies are as follows: A.

Female: Force Vacancies Kept Balance Filled up Unfilled unfilled vacancies BSF

(A) 59 0 59 57 2 CISF 26 0 26 26 0 (B) CRPF 66 0 66 66 0 (C) SSB (D) 56 0 56

56 0 ITBP 12 2 10 7 3 (E) AR (F) 37 11 26 18 8 -100- Total 256 13 243 230 13 B.

Male: Force Vacancies Kept Balance Filled up Unfilled unfilled vacancies BSF (A)

352 0 352 342 10 CISF 239 23 216 210 6 (B) CRPF 550 45 505 491 14 (C) SSB

(D) 269 122 147 141 6 ITBP 68 19 49 41 8 (E) AR (F) 74 20 54 49 5 Total 1552

229 1323 1274 49 Para-3: Details of unfilled Vacancies:

A.	Female: Force	SC	ST	OBC	UR	Total	BSF
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Note-1: Vacancies of SC and UR category remained unfilled in naxal area. Note-2: Vacancy of ST category remained unfilled in general area. B. Male: Force SC ST OBC UR Total BSF (A) 10 0 0 0 10 CISF (B) 6 0 0 0 6 CRPF (C) 14 0 0 0 14 SSB (D) 5 0 0 1 6 -101-

ITBP (E) 2 0 0 6 8 AR (F) 3 0

Note-1: All 40 SC vacancies remained unfilled in naxal area. Note-2: All 9 UR vacancies remained unfilled in naxal area. Additional Details: Revised Selection List of 1728 candidates if the 200 vacancies had not been set apart is attached as Annexure-I and the list of 73 petitioners who would have been selected in the above list is attached as Annexure-II. Are produced as sealed cover document.

11.2 The case of the Counsel appearing for the candidates is that since the appellants have not filled up all the notified vacancies, the writ petitioners shall be considered for finalising the recruitment process against the available vacancies. The said argument omits to note the principle laid down by the Supreme Court in the decisions excerpted supra. The SSC, in its armchair, without disturbing the concluded selection by treating the unfilled vacancies as a lot, has informed this Court, through a sealed cover, that as many as 73 to 83 fresh candidates could be finalised for selection, -102- subject to complying with further DME etc. In our scope of judicial review, the Court ought not to set the qualification, cut-off or eligibility criteria or call upon the SSC to fill up till the last notified vacancy is accommodated. The candidates included in the merit list do not have an absolute right to appointment. The consideration of any candidature in the exercise directed by the Court shall not dilute the process of selection.

12. Therefore, we are of the view that the directions in

paragraph 25.4 of the common judgment have to be modified, directing the SSC to complete the process of recruitment under the Rules for the short-listed 73 to 83 candidates as per the details placed on record within eight weeks from today. The balance of unfilled vacancies can be allowed to be carried forward to the ensuing recruitment process undertaken by the SSC. -103- 12.1 Having regard to the above discussion, Court declares that the candidates who have accepted the

appointment order in the first round of selection have accepted the same with the knowledge of pending litigation. Therefore, it is held that the consideration of 73 to 83 candidates by the SSC for selection shall not be understood as giving a cause of action to any one of the candidates already selected in the earliest stages of selection in pursuance of the notification dated 21.07.2018. The said earlier selection shall be treated as concluded and conclusive. The seniority of the candidates now appointed shall be reckoned from the dates of appointment, and they are not entitled to any other benefit for the period 2021 till the date of appointment. W.A. Nos.1498/2022, 1807/2022 and 1808/2022 The Writ Appeals are disposed of as indicated above. -104- W.P.(C) Nos.4646/2022, 19871/2022, 20313/2022, 26745/2022, Following the view taken in the W.A. No.1498/2022 and batch, the writ petitions stand disposed of. Sd/- S.V. BHATTI JUDGE Sd/- BASANT BALAJI JUDGE jjj -105- APPENDIX OF WP(C) 4646/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE COMMON JUDGMENT DATED 07-04- 2021 IN WRIT PETITIONS (CIVIL) NO. 24526 OF 2020 AND OTHER CONNECTED MATTERS Exhibit P2 TRUE COPY OF THE JUDGMENT DATED 07-04-2021 IN WRIT PETITION (CIVIL) NO 26287 OF 2020 Exhibit P3 TRUE COPY OF THE COMMON JUDGMENT DATED 09-12- 2021 IN WRIT PETITION (CIVIL) NO. 23366 OF 2021 AND CONNECTED MATTERS -106- APPENDIX OF WP(C) 6955/2023 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE JUDGEMENT DATED 09.12.2021 IN W.P(C) 21139/2021 PASSED BY THIS HON'BLE COURT Exhibit P2 TRUE COPY OF THE RELEVANT PARTS OF THE NOTIFICATION DATED 17.07.2021 Exhibit P3 TRUE COPY OF THE RELEVANT PARTS OF THE NOTIFICATION DATED 27.10.2022 -107- APPENDIX OF WP(C) 19871/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE FINAL RESULT BEARING NO. THE ANNEXURES. Exhibit P2 TRUE COPY OF THE NOTIFICATION DATED 28/01/2021 BEARING NO. 07/01/2018-C-1/2 (VOL-II) ALONG WITH THE ANNEXURES. Exhibit P3 TRUE COPY OF THE RELEVANT PAGES OF THE

JUDGMENT DATED 07/04/2021 IN WP(C) NO

Exhibit P4 TRUE COPY OF THE COMMUNICATION DATED Exhibit P5 TRUE COPY OF THE NOTICE BEARING F NO. 3-1/2020- P&P-I WITHOUT THE

ANNEXURES. Exhibit P6 TRUE COPY OF JUDGMENT DATED 09/12/2021 IN WPC NO. 16949/2021 AND CONNECTED CASES. Exhibit P7 TRUE COPY OF INTERIM ORDER DATED 05/04/2022 IN CONTEMPT CASE (C) NO.327/2022. Exhibit P8 TRUE COPY OF INTERIM ORDER DATED 07/04/2022 IN CONTEMPT CASE (C) NO.327/2022. Exhibit P9 TRUE COPY OF INTERIM ORDER DATED 08/04/2022 IN CONTEMPT CASE (C) NO.327/2022. Exhibit P10 TRUE COPY OF THE CONSOLIDATED DETAILS OF VACANCIES FOR EXAMINATION 2018. -108- Exhibit P11 TRUE COPY OF THE RELEVANT PAGES OF RESULTS FOR

SHORT LISTING OF CANDIDATES FOR DETAILED MEDICAL EXAMINATION IN RELATION TO EXAMINATION 2018 DATED 17.12.2019. Exhibit P12 TRUE COPY OF THE JUDGMENT OF THE HONOURABLE

HIGH COURT OF DELHI IN HEMANT POKHRIYAL V.

STAFF SELECTION COMMISSION & ORS., W.P.(C) -109- APPENDIX OF WP(C) 20313/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE NOTIFICATION DATED 07-01-2018- C-1/2(VOL. II), PUBLISHED ON 28-01-2021. Exhibit P2 TRUE COPY OF THE JUDGMENT DATED 07-04-2021 IN WP(C) NO.24526/2020. Exhibit P3 TRUE COPY OF THE JUDGMENT DATED 09-12-2021 IN WP(C) NO.21139/2021. Exhibit P4 TRUE COPY OF THE INTERIM ORDER DATED 08-04-2022 IN CON.CASE(C) NO.347/2022. Exhibit P 5 TRUE COPY OF STATUS REPORT ON FILLING UP OF

UNFILLED VACANCIES OF CONSTABLE (GD) IN CAPFS, NIA, SSF AND RIFLEMAN (GD) IN ASSAM RILES EXAMINATION, 2018.

-110- APPENDIX OF WP(C) 26745/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE SSC ADMIT CARDS FOR RECRUITMENT EXAM DATED 30-08-2019 Exhibit P2 TRUE COPY OF THE SSC ADMIT CARDS FOR REVIEW MEDICAL EXAM HELD ON 15-10-2020 Exhibit P3 TRUE COPY OF RESULTS VIDE NO.07/01/2018-C-1/2 (VOL-II) DATED 28-01-2021 FOR KERALA Exhibit P4 TRUE COPY MARKS DETAILS IN SSC EXAM Exhibit P5 TRUE COPY OF

INCOME CERTIFICATE OF PETITIONER'S FATHER ISSUED BY CONCERNED VILLAGE OFFICER VIDE NO.62931552 DATED 22-01-2022 -111- APPENDIX OF WP(C) 32204/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE JUDGMENT DATED 09.12.2021 IN WPC 21139/2021 PASSED BY THIS HON'BLE COURT. Exhibit P2 TRUE COPY OF THE RELEVANT PARTS OF THE NOTICE DATED 17.07.2021 Exhibit P3 TRUE COPY OF THE ALLOCATION CHART PREPARED BY THE PETITIONERS Exhibit P4 TRUE COPY OF THE LETTER NO.M-V-262/2021- ADM.1/TRI DATED 7 JULY 2021 Exhibit P5 TRUE COPY OF THE NOTICE NO.07/06/2022-C-1/12 FOR THE EXAMINATION 2021 Exhibit P6 TRUE COPY OF THE ORDER DATED 23.08.2022 IN W.P(C)NO.6394/2022 PASSED BY THE HON'BLE HIGH COURT OF DELHI, NEW DELHI. Exhibit P7 TRUE COPY OF THE ORDER DATED 09.11.2022 IN W.P(C)NO.6394/2022 PASSED BY THE HON'BLE HIGH COURT OF DELHI, NEW DELHI. Exhibit P8 TRUE COPY OF THE RELEVANT PART OF THE NOTICE

DATED 21.07.2018 FOR THE POST OF CONSTABLES (GD) IN CENTRAL ARMED POLICE FORCES (CAPF), NIA, SSF AND RIFLEMAN (GD) IN ASSAN RIFLES (AR) EXAMINATION 2018

Exhibit P9 TRUE COPY OF THE RELEVANT PART OF THE NOTICE NO.07/01/.2018-C-1/2 (VOL.II) CONCERNING 2018 SELECTION. -112- Exhibit P10 TRUE COPY OF THE JUDGMENT DATED 01.06.2021 IN W.P(C)NO.645/2020 PASSED BY THE HON'BLE HIGH COURT OF JAMMU AND KASHMIR. Exhibit P11 TRUE COPY OF THE JUDGMENT DATED 07.05.2022 IN LPA NO.117/2021 PASSED BY THE HON'BLE HIGH COURT OF JAMMU AND KASHMIR AND LADAKH, AT JAMMU. Exhibit P12 TRUE COPY OF THE ORDER DATED 05.01.2023 IN SLP (CIVIL) DIARY NO.27576/2022 PASSED BY THE HON'BLE SUPREME COURT OF INDIA, NEW DELHI Exhibit P13 TRUE COPY OF THE ORDER NO. ORDER NO.A-VI-1/2018- RECTT(SSB)-CT/GD-2018 DATED 06.03.2023 Exhibit P14 TRUE COPY OF THE JUDGMENT DATED 14.07.2014 IN W.P(C)NO.5663/2013 AND CONNECTED CASES PASSED

BY THE HON'BLE HIGH COURT OF DELHI, AT NEW

DELHI Exhibit P15 TRUE COPY OF THE COVERING LETTER DATED 04.02.2015 ALONG WITH THE ORDER DATED 04.02.2015 ISSUED IN COMPLIANCE OF EXT.P14. -113- APPENDIX OF WP(C) 36142/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE JUDGEMENT DATED 09.12.2021 IN W.P(C) 21139/2021 PASSED BY THIS HON'BLE COURT. Exhibit P2 TRUE COPY OF THE RELEVANT PARTS OF THE NOTIFICATION DATED 27.10.2022. Exhibit P3 TRUE COPY OF THE ALLOCATION CHART PREPARED BY THE PETITIONERS Exhibit P4 TRUE COPY OF THE LETTER NO.M-V-262/2021- ADM.1/TRI DATED 7 JULY 2021 Exhibit P5 TRUE COPY OF THE RELEVANT PARTS OF THE NOTICE

FOR THE CONSTABLES (GD) IN CENTRAL ARMED POLICE FORCES (CAPF), NIA, SSF AND RIFLEMAN (GD) IN ASSAM RIFLES EXAMINATION 2021

Exhibit P6 TRUE COPY OF THE NOTICE NO.07/06/2022-C-1/12 FOR THE EXAMINATION 2021 Exhibit P7 TRUE COPY OF THE ORDER DATED 23.08.2022 IN W.P(C)NO.6394/2022 PASSED BY THE HON'BLE HIGH COURT OF DELHI, NEW DELHI. Exhibit P8 TRUE COPY OF THE ORDER DATED 09.11.2022 IN W.P(C)NO.6394/2022 PASSED BY THE HON'BLE HIGH COURT OF DELHI, NEW DELHI. Exhibit P9 TRUE COPY OF THE RELEVANT PART OF THE NOTICE

DATED 21.07.2018 FOR THE POST OF CONSTABLES (GD) IN CENTRAL ARMED POLICE FORCES (CAPF), NIA, SSF AND RIFLEMAN (GD) IN ASSAM RIFLES (AR) EXAMINATION 2018

-114- Exhibit P10 TRUE TRUE COPY OF THE RELEVANT PART OF THE NOTICE NO.07/01/.2018-C-1/2 (VOL.II) CONCERNING 2018 SELECTION. Exhibit P11 TRUE COPY OF THE JUDGMENT DATED 01.06.2021 IN W.P(C)NO.645/2020 PASSED BY THE HON'BLE HIGH COURT OF JAMMU AND KASHMIR. Exhibit P12 TRUE COPY OF THE JUDGMENT DATED 07.05.2022 IN LPA NO.117/2021 PASSED BY THE HON'BLE HIGH COURT OF JAMMU AND KASHMIR AND LADAKH, AT JAMMU. Exhibit P13 TRUE COPY OF THE ORDER DATED 05.01.2023 IN SLP (CIVIL) DIARY NO.27576/2022 PASSED BY THE HON'BLE SUPREME COURT OF INDIA, NEW DELHI Exhibit P14 TRUE COPY

OF THE ORDER NO. ORDER NO.A-VI-1/2018- RECTT(SSB)-CT/GD-2018
DATED 06.03.2023 Exhibit P15 TRUE COPY OF THE JUDGMENT DATED
14.07.2014 IN W.P(C)NO.5663/2013 AND CONNECTED CASES PASSED

BY THE HON'BLE HIGH COURT OF DELHI, AT NEW

DELHI Exhibit P16 TRUE COPY OF THE COVERING LETTER DATED
04.02.2015 ALONG WITH THE ORDER DATED 04.02.2015 ISSUED IN
COMPLIANCE OF EXT.P15. -115- APPENDIX OF WA 1808/2022 PETITIONER
ANNEXURES Annexure A1 A TRUE COPY OF THE REVISED SCHEME FOR
COMMON RECRUITMENT OF CONSTABLE (GD) IN CENTRAL ARMED
POLICE FORCES (CAPFS) & ASSAM RIFLES, NATIONAL INVESTIGATION
AGENCY (NIA) AND SECRETARIAT SECURITY FORCE (SSF) TO BE
CONDUCTED BY STAFF SELECTION COMMISSION THROUGH COMPUTER
BASED EXAMINATION DATED NIL Annexure A2 A TRUE COPY OF THE
INTERIM ORDER PASSED BY THE LEARNED SINGLE JUDGE IN WPC 263 OF
2021 DATED 20- 01-2021 Annexure A3 A TRUE COPY OF THE NOTIFICATION
WITH REGARD TO THE RECRUITMENT OF CONSTABLES (GD) IN CENTRAL
ARMED POLICE FORCES (CAPFS) , NIA, SSF AND RIFLEMAN (GD) IN ASSAM
RIFLES EXAMINATION, 2021 DATED 17.07.2021 Annexure A4 A TRUE COPY
OF THE MINUTES OF THE HIGH LEVEL MEETING HELD ON 25-07-2022 -116-
APPENDIX OF WA 1807/2022 PETITIONER ANNEXURES Annexure A1 A TRUE
COPY OF THE REVISED SCHEME FOR COMMON RECRUITMENT OF
CONSTABLE (GD) IN CENTRAL ARMED POLICE FORCES (CAPFS) & ASSAM
RIFLES, NATIONAL INVESTIGATION AGENCY (NIA) AND SECRETARIAT
SECURITY FORCE (SSF) TO BE CONDUCTED BY STAFF SELECTION
COMMISSION THROUGH COMPUTER BASED EXAMINATION DATED NIL
Annexure A2 A TRUE COPY OF THE INTERIM ORDER PASSED BY THE
LEARNED SINGLE JUDGE IN WPC 263 OF 2021 DATED 20- 01-2021 Annexure
A3 A TRUE COPY OF THE NOTIFICATION WITH REGARD TO THE
RECRUITMENT OF CONSTABLES (GD) IN CENTRAL ARMED POLICE
FORCES (CAPFS) , NIA, SSF AND RIFLEMAN (GD) IN ASSAM RIFLES
EXAMINATION, 2021 DATED 17.07.2021

Annexure A4 A TRUE COPY OF THE MINUTES OF THE HIGH LEVEL MEETING HELD ON 25-07-2022 RESPONDENT ANNEXURES Annexure R52(l) True copy of the order No. order No.A-VI-1/2018- Rectt(SSB)-CT/GD-2018 dated 06.03.2023 Annexure R52(m) True copy of the judgment dated 14.07.2014 in W.P(C)No.5663/2013 and connected cases passed by the

Hon'ble High Court of Delhi, at New Delhi

Annexure R52(a) True copy of the Allocation Chart prepared by the petitioners - 117- Annexure R52(b) True copy of the letter No.M-V-262/2021-Adm.1/TRI dated 7 July 2021 Annexure R52(c) True copy of the relevant parts of the notice for the Constables (GD) in Central Armed Police Forces (CAPF), NIA, SSF and Rifleman (GD) in Assam Rifles Examination 2021

Annexure R52(d) True copy of the notice No.07/06/2022-C-1/12 for the examination 2021 Annexure R52(e) True copy of the order dated 23.08.2022 in W.P(C)No.6394/2022 passed by the Hon'ble High Court of Delhi, New Delhi. Annexure R52(f) True copy of the order dated 09.11.2022 in W.P(C)No.6394/2022 passed by the Hon'ble High Court of Delhi, New Delhi. Annexure R52(g) True copy of the relevant part of the notice dated

21.07.2018 for the post of Constables (GD) in Central Armed Police Forces (CAPF), NIA, SSF and Rifleman

(GD) in Assam Rifles (AR) Examination 2018

Annexure R52(h) True copy of the relevant part of the notice No.07/01/.2018-C-1/2 (Vol.II) concerning 2018 selection. Annexure R52(i) True copy of the judgment dated 01.06.2021 in W.P(C)No.645/2020 passed by the Hon'ble High Court of Jammu and Kashmir. Annexure R52(j) True copy of the judgment dated 07.05.2022 in LPA No.117/2021 passed by the Hon'ble High Court of Jammu and Kashmir and LADAKH, at Jammu. Annexure R52(k) True copy of the order dated 05.01.2023 in SLP (Civil) Diary No.27576/2022 passed by the Hon'ble Supreme - 118- Court of India, New Delhi Annexure R52(n) True copy of the covering letter dated 04.02.2015 along with the order dated 04.02.2015 issued in compliance of

Ext.P15. -119- APPENDIX OF WA 1498/2022 PETITIONER ANNEXURES
Annexure A1 TRUE COPY OF THE REVISED SCHEME FOR COMMON

RECRUITMENT OF CONSTABLE (GD) IN CENTRAL ARMED POLICE FORCES (CAPFS) & ASSAM RIFLES, NATIONAL INVESTIGATION AGENCY (NIA) AND SECRETARIAT SECURITY FORCE (SSF) TO BE CONDUCTED BY STAFF SELECTION COMMISSION THROUGH COMPUTER BASED EXAMINATION DATED NIL Annexure A3 TRUE COPY OF THE NOTIFICATION WITH REGARD TO THE RECRUITMENT OF CONSTABLES (GD) IN CENTRAL ARMED POLICE FORCES (CAPFS) , NIA, SSF AND RIFLEMAN (GD) IN ASSAM RIFLES EXAMINATION, 2021 DATED 17.07.2021 Annexure A2 TRUE COPY OF THE INTERIM ORDER PASSED BY THE LEARNED SINGLE JUDGE IN WPC 263 OF 2021 DATED 20-01-2021 RESPONDENT ANNEXURES Annexure R1 (a) The true copy of State/category-wise details of vacancies- Male (excluding Naxal affected and Border Guarding Districts/ Areas) in regard with Constable

(GD) in CAPFs, NIA, SSF and Rifleman (GD) IN Assam Rifles Examination, 2021
PETITIONER ANNEXURES Annexure A4 TRUE COPY OF THE MINUTES OF THE HIGH LEVEL MEETING HELD ON 25-07-2022

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