

PETITIONER:
J. ASHOK KUMAR

Vs.

RESPONDENT:
STATE OF ANDHRA PRADESH & ORS.

DATE OF JUDGMENT: 23/02/1996

BENCH:
RAMASWAMY, K.
BENCH:
RAMASWAMY, K.
G.B. PATTANAIK (J)

CITATION:
1996 SCC (3) 320 JT 1996 (3) 225
1996 SCALE (2)575

ACT:

HEADNOTE:

JUDGMENT:

O R D E R

Mr. L.N. Rao, learned counsel appearing for the petitioner contends that under G.O.Ms.No.1136, dated September 13, 1986 rule 4 of the A.P.Excise Service Rules was amended giving weightage of 5% of the marks for selection to an NCC candidate and that the petitioner had appeared for the post of Assistant Excise Superintendent, Group I Service, by direct recruitment. He should have been given weightage of 5% marks and the Tribunal was unjustified in dismissing his petition. We find force in his contention. Any candidate appeared for the selection even for direct recruitment would be eligible to be considered for the weightage provided to candidate having NCC qualification. But since the selection has already been over and candidates were selected and appointed, we cannot give the benefit to the petitioner.

The Special Leave Petition is accordingly dismissed.