

Service matter -

Plea that in case no candidate has been found to be eligible under the Scheduled Caste (Sportsperson) category, the post should have been advertised for the scheduled caste category and all scheduled caste candidates would have had an opportunity to apply for the same and as such the petitioner has been deprived of his right to consideration for appointment to the post in question by the action of the respondents in appointing respondent No. 4, which is in total violation of the advertisement - Instructions clearly specified that if eligible candidates for filling up the reserved posts meant for Scheduled Caste (Ex-serviceman) and Scheduled Caste (Sportsmen) are not available then these posts shall stand reverted to the general category of Scheduled Caste and will be filled up from the eligible candidates of Scheduled Caste, the action of the official respondents is in accordance with law.

[2013 PLRonline 0105](#)