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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 2744/2016 & C.Ms.11529-30-31/2016
YOGESH Petitioner

Through: Mr. Abhishek Choudhary,
Advocate

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Ripu Bhardwaj, CGSC &
Mr. T.P. Singh & Mr. Vivek
Sharma, Advocates

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **01.06.2016**

1. This order is in continuation of the order dated 26th May, 2016, wherein it was highlighted that despite a detailed order passed on 30th March, 2016, on which date at the request of the counsel for the petitioner, the petitioner was permitted to appear before the Review Medical Board, constituted by the Commandant, Army (R& R) Hospital, Delhi, so that he could be re-examined for the deformities, noted by the respondent-CISF during his medical examination conducted on 6th October, 2015 and spelt out in paragraph No.2 of the order dated 30th March, 2016. However, the petitioner not only failed to turn up before the Review Medical Board, he did not bother to give an advance intimation of his alleged indisposition either to the respondent or his own counsel.

2. On the last date of hearing, counsel for the petitioner had pleaded that the petitioner had fallen ill on 9th May, 2016 and therefore, he could not appear before the Review Medical Board. He had also stated that the petitioner is in Chennai since 23rd May, 2016 for participating in a sports

tournament and would cut short his trip so as to appear before this Court on the next date of hearing. While expressing our displeasure at the cavalier and casual manner in which the petitioner had conducted himself, he was still shown leniency and permitted to file an application to explain his absence before the Review Medical Board on 9th May, 2016.

3. Despite the aforesaid order, no such application has been filed by the petitioner nor has he turned up today to offer his explanation for his absence. Rather, he has chosen to remain in Chennai.

4. Learned counsel for the petitioner submits that the petitioner has entered into a contract with a company and if he leaves mid way, he will suffer a huge financial loss.

5. It is for the petitioner to prioritize his life. He is obviously not interested in being recruited in the CISF. Had he really been keen, he would have certainly presented himself today. An indisciplined person cannot expect to make a disciplined officer.

6. In the aforesaid facts and circumstances, we are not inclined to fix another date for the petitioner to appear before the Review Medical Board.

7. The petition and the pending applications are accordingly dismissed.

HIMA KOHLI, J

SUNIL GAUR, J

JUNE 01, 2016/r