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

+ W.P.(C) 1905/2017

SANBIR

..... Petitioner

Through: Mr.Anuj Aggarwal with  
Ms.Deboshree Mukherjee, Advs.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr.Sarat Chanda with Mr.Sachin  
Chandra, Advs.

**CORAM:**

**HON'BLE MS. JUSTICE INDIRA BANERJEE**

**HON'BLE MR. JUSTICE YOGESH KHANNA**

**ORDER**

% **03.03.2017**

**CM No.8431/2017(for exemption)**

Exemption allowed subject to all just exceptions.

The application stands disposed of.

**W.P.(C) 1905/2017 & CM No.8430/2017(for stay)**

In this writ petition, the petitioner has sought orders on the respondents to conduct fresh medical examination of the petitioner to determine his fitness for recruitment as Constable, General Duty in the Central Reserve Police Force.

It appears that the petitioner was medically examined, but found unfit due to low distance vision. The result of the medical examination was apparently communicated to the petitioner by a Memorandum dated 25.08.2011.

The petitioner appealed against the decision of the Medical Board. According to the petitioner, the petitioner was never called for

medical examination.

As per the petitioner's own averment, the final result of recruitment was declared on 28.11.2011 and that list included the names of candidates who had been declared fit by the Review Medical Board. The result of candidates found fit upon review examination, was declared in 2012.

It appears that, even though the petitioner was never called for medical re-examination, the petitioner did not make any representation for over three years from the date of declaration of the final result. The first representation for over three years from the date of declaration of the final results appears to have been made some time in August 2015.

In case of selection and/or appointment delay is fatal. The court does not exercise its discretionary jurisdiction to grant relief when there is delay and laches.

The list of selected candidates has been published. Entertaining this writ petition after 3/4 years would unsettle things which have already been settled.

The writ petition is rejected on the ground of delay.

The pending application also stands disposed of.

**INDIRA BANERJEE, J**

**YOGESH KHANNA, J**

**MARCH 03, 2017/gm**