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

+ **W.P.(C) 10097/2017**

UTTAM KUMAR Petitioner

Through: Mr.Sachin Chauhan, Advocate.

versus

UNION OF INDIA & ANR Respondents

Through: Mr.Rajesh Kumar with Mr.Anil
Dabas, Advocates for R-1 & 2.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **15.11.2017**

CM No.41283/2017 (for exemption)

Subject to the applicant filing the certified/typed/legible copies of the documents annexed with the petition within four weeks, the application is allowed and disposed of.

W.P.(C) 10097/2017

1. The limited relief prayed for by the petitioner in the present petition is for issuance of a writ of mandamus to the respondent No.2-Secretariat Security Organization, Ministry of Home Affairs to permit him to join his duty as a Constable(GD) pursuant to the appointment letter dated 30.03.2017 issued in his favour.

2. Learned counsel for the petitioner states that the petitioner had applied for being recruited to the post of Constable (GD) in the respondent No.2 and had cleared both the physical endurance test as well as the written test.
3. Initially, the petitioner was rejected in the medical examination held on 03.06.2016, but was subsequently declared fit by the Review Medical Board on 30.08.2016. Subsequent to clearing the test, the petitioner was given an offer of appointment by the respondent on 30.03.2017 and he gave his acceptance thereto. However, when the petitioner reported for duty on 20.04.2017, he was not permitted to join duty and was orally informed that there was some doubt about mismatch of his signatures/thumb impression in the written examination and other documents submitted to the respondents. Learned counsel submits that after waiting for a reasonable time, the petitioner has submitted a representation dated 24.05.2017 to the respondents, but he did not receive any response. Thereafter, another comprehensive representation dated 07.09.2017 was submitted by the petitioner which has also not elicited any response from the respondents.
4. Learned counsel for the respondents, who appears on advance notice, states on instructions, that there was a signature/thumb impression mismatch of the petitioner in the record due to which the matter was referred to the CFSL and the report of the CFSL was against the petitioner. He submits that the respondent is contemplating further action against the petitioner.
5. In view of the submissions made hereinabove, it would be appropriate to dispose of the present petition by issuing directions to the respondents to pass a speaking order in respect of the latest representation dated 07.09.2017

submitted by the petitioner within two weeks. In the event, the petitioner is aggrieved by the same, he shall be entitled to seek legal recourse.

HIMA KOHLI, J

REKHA PALLI, J

NOVEMBER 15, 2017
gm