

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

Date of Order: April 27, 2018

+ **W.P.(C) 4354/2018 & CMs.16866-67/2018**

ARUN KUMAR

..... Petitioner

Through: Mr. Vimal Dubey and Mr. Paritosh
Budhiraja, Advocates

versus

AIRPORT AUTHORITY OF INDIA AND ANRRespondents

Through: Mr. Dig Vijay Rai and Mr. S.K.
Rout, Advocates for respondent No.1
Mr. Akshay Makhija, CGSC with Ms. Seerat
Deep Singh, Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. For the relief claimed in this petition, a Representation (*Annexure P-3*), though dated 31st March, 2018, was made by petitioner on 2nd April, 2018, as claimed by petitioner's counsel. The grievance of petitioner is that when he had requested the concerned staff to show the record of his timing of 100 meters race, he was bluntly told that no such display or record was maintained. Learned counsel for petitioner submits that the fate of Representation (*Annexure P-3*) is not yet known.

2. Learned counsel for respondent No.1 submits that the Representation (*Annexure P-3*) would be responded to by passing a speaking order thereon, if not already done, and the display or record of

petitioner's timing of 100 meters race would be shown to petitioner. In the call letter (*Annexure P-2*), it is clarified that 100 meters running is required to be completed in 15 seconds, failing which, such candidates will be disqualified. Petitioner's counsel submits that such a pre-condition is arbitrary and against the criteria as indicated in Annexure P-2. It is pointed out that the Physical Endurance Test consists of five steps and each step is of 20 marks and out of the total 100 marks, the minimum passing marks are 60 and if any candidate is disqualified at the first step, then the purpose of achieving minimum pass marks of 60 is defeated.

3. Let aforesaid aspect be also looked into, by first respondent while deciding petitioner's Representation (*Annexure P-3*) by a speaking order. The fate of petitioner's Representation (*Annexure P-3*) be conveyed to him within a week from today, so that he may avail of the remedies as available in law, if need be.

4. With aforesaid directions, this petition and the applications are disposed of.

Copy of this order be given *dasti* under signatures of the Court Master to learned counsel for first respondent to ensure its compliance.

(SUNIL GAUR)
JUDGE

APRIL 27, 2018

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