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

Date of Decision: 06.03.2020

+ W.P.(C) 2593/2020

PARDEEP KUMAR Petitioner

Through: Mr. Ajay Verma, Adv.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Bhagvan Swarup Shukla, CGSC
with Mr. Sarvan Kumar Shukla, Adv. for UOI

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

D.N. PATEL, CHIEF JUSTICE (ORAL)

CM APPL.9063/2020 (*Exemption*)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 2593/2020

1. This writ petition has been preferred with the following prayers:

“a) direct the Respondents to consider constitution of review medical board to conduct the medical examination of the petitioner.

b) direct the Respondents to issue appointment of the petitioner to the post of Constable in CPF (GD) in CAPFs, 2012 and allow him to undergo training in case he is declared fit by the review medical board.;"

2. Having heard the counsel for both sides and looking to the facts and circumstances of the case, it appears that this petitioner had applied for the post of Constable in CAPFs (GD) which was conducted by the Staff Selection Commission for the year 2011-2012. It appears that the selection process was initiated and completed in the year 2012.

3. The instant writ petition has been preferred by the petitioner after elapse of approximately 7 years from the date of accrual of cause of action. After qualifying in the said examination, this petitioner was found unfit during the medical check-up. As the petitioner was found medically unfit, he could not be appointed as Constable in CAPFs (GD). It appears that the appeal which was preferred against the medical examination was returned to this petitioner on 16th October, 2012 for the reasons stated in the communication dated 25th July, 2019 (Annexure P-7 to the memo of this writ petition).

4. The Deputy Inspector General, Group Centre, CRPF, Greater Noida *vide* its communication dated 9th September, 2019 (Annexure P-7 colly at page No.29 of the petition) informed the petitioner that there is no reason to constitute the medical review board after elapse of seven years.

5. Keeping in view the fact that the petitioner was found medically unfit on 14th July, 2012, whereas the present writ petition has been filed in the year 2020, in our considered view this writ petition is barred by delay and

latches. Accordingly, the same is hereby dismissed with no order as to costs.

CHIEF JUSTICE

C.HARI SHANKAR

MARCH 06, 2020

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