

\$~VC-3

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P. (C) 5961/2020, C.M. Appl. Nos.21534/2020 (of the petitioner for directions) & 21535/2020 (for exemption)
KUMARI SANGEETAPetitioner

Through: Mr. Yashaswi SK Chocksey, Mr. Abhinav Garg and Mr. Ankit Singh, Advocates

Versus

STAFF SELECTION COMMISSION & ORS.Respondents

Through: Mr. Nirvikar Verma, Advocate for R-1 to 4, Mr. Neeraj Garg, Mr. Ankit Raj, Mr. Piyush Beriwal, Mr. Sahaj Garg, Ms. Damini Garg and Ms. Vandana Dewan, Advocates for R-4

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

HON'BLE MS. JUSTICE ASHA MENON

ORDER

%

03.09.2020

[VIA VIDEO CONFERENCING]

C.M. Appln. No.21535/2020 (Exemption from filing certified copies and fair typed copies of the annexures)

1. Allowed, subject to just exceptions and as per extant rules.
2. The application is disposed of.

W.P. (C) 5961/2020, C.M. Appln. No.21534/2020 (of the petitioner for directions)

3. The petitioner, a candidate for recruitment as Constable (GD) in Central Armed Police Forces (CAPFs), having been found medically unfit, is aggrieved from the rejection of her appeal for Review Medical Board on the ground of "late received".
4. It is the case of the petitioner that though the Medical Board

examined her on 16th January, 2020 but did not hand over to her any certificate of fitness or unfitness and rather verbally informed that the petitioner had been found fit; however she subsequently received a phone call and was handed over the certificate declaring her as unfit, only on 28th January, 2020 and was assured that the period for filing the appeal will be computed therefrom. However when she filed the appeal within the said period, the appeal has been rejected on account of having been filed late.

5. Mr. Nirvikar, Advocate for the respondents appearing on advance notice states that he has instructions to say that the appeal preferred by the petitioner for Review Medical Board was inadvertently rejected on account of late filing.

6. In view of the aforesaid, the petition is allowed. The respondents are directed to, within four weeks herefrom, communicate to the petitioner the date, time and place where the petitioner is required to appear for her Review Medical Examination and on such the Review Medical Examination being conducted, if the petitioner is found fit, the petitioner be considered further for selection.

7. The petition is disposed of.

RAJIV SAHAI ENDLAW, J.

ASHA MENON, J.

SEPTEMBER 03, 2020

ak/pkb