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

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Date of decision: October 13, 2022

+ W.P.(C) 14485/2022 & CM APPL. 44239/2022

RAKHI

..... Petitioner

Through: Mr. Prasoon Kumar Mishra,
Advocate

versus

STAFF SELECTION COMMISSION & ORS. Respondents

Through: Mr. Jatin Singh and Ms. Archana
Surve, Advocates

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

JUDGMENT (oral)

1. By way of the present petition, petitioner seeks to set aside the Detailed Medical Examination Report dated 13.09.2022 and Review Medical Examination Report dated 19.09.2022 issued by the respondents in respect of the petitioner in the recruitment exercise for Constable(GD) in CAPFs, NIA, SSF and Rifleman(GD) in Assam Rifles Examination 2021 and a further direction to declare her medically fit and thereafter, issue a '*medically fit*' certificate to her.

2. As pleaded, the petitioner applied for the post of Constable(GD) in CAPFs, NIA, SSF and Rifleman(GD) in Assam Rifles Examination 2021. Upon clearing the written examination on 31.03.2022 and the physical test



on 06.05.2022, the petitioner was called for the Detailed Medical Examination to be held on 13.09.2022.

3. On 13.09.2022, the petitioner was declared unfit in the Detailed Medical Examination on the ground of '*distance vision left eye (6/12)*' and further, in the Review Medical Examination on 19.09.2022, was again declared unfit on the ground of '*distant vision 6/9(RE), 6/12(LE)*'.

4. Thereafter, the petitioner on her own volition got herself examined at Ch. Brahm Prakash Ayurved Charak Sansthan(GNCTD) Hospital on 23.09.2022, at AIIMS on 24.09.2022 and at Safdarjung Hospital on 01.10.2022 and 03.10.2022 and found herself medically fit for the grounds on which she was declared medically unfit in the Detailed Medical Examination and then in the Review Medical Examination..

5. In the meanwhile, the petitioner had already made a representation dated 26.09.2022 to respondent No.1/SSC, which however, till date has not been decided by the said respondent.

6. Accordingly, in the interest of justice, we hereby direct the respondents to get the petitioner examined at the RR Hospital, Delhi within two weeks from today. The date of the said examination shall be communicated by the respondents to the petitioner and as agreed to by the counsel for the petitioner, the report of the RR Hospital in this regard shall be final and binding upon the parties. If the report of the RR Hospital is in favour of the petitioner, the petitioner shall be allowed to participate in the further selection process, alternatively, if the report is not in favour of the petitioner, then the report will be final and binding upon parties.



7. In terms thereof, the petition is disposed of alongwith the pending application.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

OCTOBER 13, 2022/rr

