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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 14.02.2023

+ W.P.(C) 1868/2023
ANKIT KUMAR

..... Petitioner

Through: Mr. Ajit Kakkar and Ms.
Chhavi Yadav, Advocates.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms. Arushi Kapur, Mr.
Rajkumar Yadav, Mr. Kapil
Dev Yadav and Ms. Preeti
Sharma, Advocates.
Sh. Hemendra Singh, LAW,
BSF

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. The petitioner in his petition has made following prayers:

a) To set aside the impugned Rejection Slip dated 24.01.2023, issued by the respondents.

b) To direct the respondents to allow the respondents to conduct re-medical exam to determine the height of the petitioner and if he found qualified consider him in the further enrolment process for the post of post of Head Constable (Radio Mechanic) in Border Security Forces (BSF).

c) To direct the respondent for appointment of the petitioner on the basis of the Health/Medical Certificate issued by the Govt. Hospital.

2. The case of the petitioner is that the respondents have wrongly

measured the height of the petitioner as 167.8 cms whereas as per the Medical Certificate (Annexure P-6), the petitioner's height is 168 cms.

3. Since there is a dispute on the height recorded by the respondents and in Annexure P-6, annexed with the present petition, in the interest of justice, we hereby direct the CMO, Delhi Government Ayush Dispensary, Delhi High Court to measure the height of the petitioner and send the report to the respondents within two weeks.

4. It is made clear that the report of the CMO, Delhi Government Ayush Dispensary, Delhi High Court shall be final and binding on the parties.

5. We hereby make it clear that if the height of the petitioner is 168 cms, the respondent shall allow the petitioner to participate in further selection process.

6. In view of the above, the petition is accordingly disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

February 14, 2023/PA