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

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Judgment delivered on: 10.07.2023

+ **W.P. (C) 9030/2023 & CM. APPL. 34379/2023**

SUSHEEL KUMAR

.... PETITIONER

Versus

UNION OF INDIA & ANR.

.... RESPONDENTS

Advocates who appeared in this case:

For the Petitioner:

Mr. Shannu Baghel, Advocates.

For the Respondent:

Mr. Jatin Singh, Mr. Keshav Sehgal, Mr. Shivam Gaur, Ms. Ramya Soni, Advocates with SI Amit, SI Prahlad and HC R.K. Singh, CISF.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks a direction to the respondents to allow the petitioner to take Physical Standard Test and Physical Efficiency Test.

2. Respondents had issued a notification seeking recruitment of



Constable/Driver, *inter alia*, for fire services in CISF-2022. One of the conditions mentioned is that the candidate should have a valid driving license in following type of vehicles; **(a)** Heavy Motor Vehicle or Transport Vehicle (HMTV/TV); **(b)** Light Motor Vehicle and **(c)** Motorcycle with gear;

3. Learned counsel for respondents submits that as is evident from the experience condition mentioned in the advertisement, the candidate must have three years' experience of driving Heavy Motor Vehicle or Transport Vehicle or Light Motor Vehicle and Motorcycle. He under instructions submits that the experience could be either of the three vehicles in conjunction with a motorcycle in all conditions. He submits that three years' experience of driving a motorcycle is mandatory.

4. He submits that since petitioner's license does not reflect that he is authorised to drive a motorcycle with gear, he does not satisfy the requisite condition of the advertisement and was thus disqualified.

5. Learned counsel for petitioner fairly concedes that the petitioner does not have the license for driving a motorcycle with gear.

6. Since the petitioner does not satisfy the mandatory requisite of the advertisement i.e., a driving license valid for driving a motorcycle with gear and three years' experience of driving a motorcycle,



petitioner clearly does not satisfy the requirements and as such respondents cannot be faulted for having rejected the candidature of the petitioner.

7. In view of the above, we do not find any merit in the petition. The same is accordingly dismissed.

HIGH COURT OF DELHI

SANJEEV SACHDEVA, J

JULY 10, 2023
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MANOJ JAIN, J

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