



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

%

Date of decision: January 08, 2024

+ W.P.(C) 10212/2023, CM APPL. 39545/2023

SH. SATYAM BHADORIYA

..... Petitioner

Through: Ms. Mrinal Mazumdar, Ms. Aarushi Gupta, Mr. Saurabh Singh and Mr. Divyansh Singh, Advocates

versus

UNION OF INDIA THROUGH ITS SECRETARY MINISTRY OF
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS & ORS.

..... Respondents

Through: Mr. Atul Guleria, SPC with Mr. Hardik Bedi, GP and Mr. Shivam Garg, Advocate for R-1 & R-2

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T

V. KAMESWAR RAO, J. (ORAL)

1. This petition has been filed by the petitioner with the following prayers:

“In the premises of the above, it is respectfully prayed that this Hon’ble High Court may be pleased to:

a. Direct the respondents to consider the candidature of the Petitioner on the basis of the subsequent Medical Examination



Reports as procured by the Petitioner;

b. Direct the respondents to constitute a fresh Medical board for reconducting medical examination of the Petitioner and to direct Respondent No. 3 to reconsider candidature of the Petitioner for the post of Sub Inspector, Delhi Police and Central Armed Police Forces pursuant to result of said Medical board;

c. Call for records of proceedings of medical examination of the Petitioner dated 16.06.2023 and 17.06.2023 conducted by Respondent No. 3;

d. Quash and set-aside the Result of the Review Medical Examination dated 17.06.2023 and result of DME dated 16.06.2023;

e. Allow any other relief(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case to meet the ends of justice."

2. In effect, the challenge in the petition is to the rejection of the case of the petitioner to the post of Sub Inspector, Delhi Police and Central Armed Police Forces on the ground that he is unfit on account of defective distant vision of 6/9 (as noted from the page 84 and 85 of the paper-book).

3. During the pendency of the writ petition this Court vide order dated August 11, 2023, directed the respondents to get fresh medical examination of the petitioner conducted at All India Institute of Medical Science (AIIMS), New Delhi and the report be submitted to the Court.

4. AIIMS, New Delhi has submitted its report. We have perused the report and are of the view that the respondents shall consider the report submitted by the AIIMS and if needed, examine the petitioner, then take a final decision with regard to his candidature to the post of Sub Inspector, Delhi Police/ CAPF in accordance with law within a period of four weeks thereafter, as an outer limit and then proceed thereafter.



2024:DHC:150-DB



5. In view of the above, the petition is disposed of.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

JANUARY 8, 2024/So