



\$~4

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10537/2024**
PRASHANT KUMAR SINGHPetitioner

Through: Mr. Arjun Panwar, Adv.

versus

UNION OF INDIA AND ORSRespondents
Through: Mr. Nitinja Chaudhry, SPC with Mr.
Rahul Mourya and Mr. Gokul
Sharma, Adv.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER
07.08.2024

%

CM APPL. 43323/2024 –Ex.

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 10537/2024, CM APPL. 43322/2024 –Int. dir.

3. The petitioner, who is presently serving as Sub-Inspector (SI) in the Central Industrial Security Force (CISF), Executive Cadre, has approached this Court with a grievance that he has been wrongly declared as medically unfit by the initial Medical Board as also the Review Medical Board conducted for selection to the post of Assistant Commandant (Executive) under the Limited Departmental Competitive Exam (LDCE) quota.
4. At the very outset, learned counsel for the respondents, who appears on advance notice, submits that the selection process for appointment to Assistant Commandant (Executive) under the LDCE quota is already complete with the final result having been already declared by the UPSC on



31.07.2024. He, therefore, contends that the petitioner, who was found to be medically unfit both by the Medical Board and the Review Medical Board in June, 2024 is not entitled to any relief when the selection process is already over.

5. Having considered the submissions of the learned counsel for the parties and perused the record, we find that the petitioner was declared medically unfit on 22.06.2024 by the initial Medical Board and on 24.06.2024 by the Review Medical Board. In case, the petitioner had any grievance regarding the same, it was incumbent upon him to approach the Court well in time. At this stage, when the selection process is complete, we find no reason to issue any directions for fresh medical examination of the petitioner as we are of the view that even if he were to be declared medically fit, he cannot be appointed as Assistant Commandant (Executive) at this belated stage.

6. The writ petition is accordingly dismissed. We, however, make it clear that we have not expressed any opinion regarding the petitioner's medical fitness and in case, the petitioner applies for any subsequent selection process, it will be open for him to rely on the medical certificate regarding his fitness issued by RML Hospital, Delhi, Kailash Hospital, Greater Noida, Uttar Pradesh and Safdarjung Hospital, Delhi, which certificate will be considered as per law.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 7, 2024/ss