



2024:DHC:9325-DB



\$~78

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 02.12.2024

+ W.P.(C) 16616/2024

STAFF SELECTION COMMISSION & ORS.Petitioners
Through: Ms. Radhika Bishwajit Dubey,
CGSC with Ms. Gurleen Kaur
Waraich, Adv.

versus

PHOOL SINGHRespondent
Through: Ms. Esha Mazumdar and Ms.
Unni Maya. S, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 70335/2024 (exemption)

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

W.P.(C) 16616/2024 & CM APPL. 70336/2024, CM APPL. 70337/2024

3. The present petition has been filed challenging the Order dated 14.05.2024 passed by the learned Central Administrative Tribunal (Tribunal), Principal Bench, New Delhi in Original Application (OA) No. 1755/2024 titled *Phool Singh vs Staff Selection Commission & Ors.* directing the petitioner herein to constitute a fresh Medical Board



2024:DHC:9325-DB



and have the respondent re-examined to determine his fitness for the post of Constable (Executive) Male in the Delhi Police.

4. In the present case, the Detailed Medical Examination (DME) Board declared the petitioner unfit for appointment to the above post by observing as under:-

ii) Unfit on account of 6-8 blood cells present in Urine, Post-operative Scar on perit
iii) Temp. Unfit on account of X (Urinary Routine Examination) Anurag Singh

5. The petitioner applied for the Review Medical Examination (RME) and in the RME proceedings, the petitioner was again declared unfit for appointment on the following grounds:-

a) FIT (Unfit) UNFIT
b) If unfit, reason there of ① Hydronephrosis and
② Nephrocalcinosis

6. Aggrieved of the same, the respondent challenged the findings of the RME before the learned Tribunal in form of the abovementioned OA. The learned Tribunal simply by placing reliance on its earlier order dated 10.05.2024, passed in O.A. 519/2024 titled **Teekaram Singh Meena vs. SSC and Ors.** has allowed the said OA with the abovementioned directions.

7. From a perusal of the Impugned Order, we do not find any discussion on the findings of the DME or the RME, or the reasons for the learned Tribunal to not rely upon the same and direct the petitioners herein to have the re-medical examination of the respondent herein conducted.

8. We, therefore, are constrained to set aside the Impugned Order. The OA filed by the respondent shall stand restored before the learned Tribunal. The parties shall appear before the learned Tribunal on 16th



2024:DHC:9325-DB



December, 2024.

9. The petition, along with pending applications, is disposed of in above terms.

NAVIN CHAWLA, J

SHALINDER KAUR, J

DECEMBER 2, 2024
SU/SK/VS

Click here to check corrigendum, if any