



2024:DHC:9891-DB



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 17331/2024 & CM APPL. 73784/2024, CM APPL. 73785/2024**

**STAFF SELECTION COMMISSION & ANR. ....Petitioners**  
Through: Mr. Shashank Dixit, CGSC  
with Mr. Rohit Gupta, Adv.

versus

**MUKUL CHOUDHARY .....Respondent**  
Through: Mr. Aggarwal and Mr. Tanuj  
Bhadana, Adv.

**CORAM:**  
**HON'BLE MR. JUSTICE C. HARI SHANKAR**  
**HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA**

**JUDGMENT (ORAL)**  
**19.12.2024**

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**C. HARI SHANKAR, J.**

1. This writ petition challenges the aforesaid order passed by the Central Administrative Tribunal<sup>1</sup>:

“The applicant has filed the present OA seeking the following reliefs:-

“1. To call for the records and quash and set aside the impugned Result of PET/PST conducted on 14.1.2024 where the height of the applicant was measured less than 170 cm.

2. To direct the respondents to constitute and appoint an independent Special Medical Board to conduct measurement of height of the applicant and if his height found to be 170 cm or above. process his candidature further for appointment as Constable (Ex.) in Delhi Police



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vide Examination- 2023 with all consequential benefits.

3. To consider the applicant as eligible in Recruitment of Constable (Ex.) in Delhi Police Examination-2023 and appoint to the post of Constable (Ex.) in Delhi Police as he makes the grade as per his merit position with all consequential benefits.

4. To award costs in favor of the applicant and pass any order or orders which this Hon'ble Tribunal may deem just & equitable in the facts & circumstances of the case.”

2. Learned counsel for the applicant draws our attention to an order passed by a Co-ordinate Bench in OA No. 2813/2021 dated 28.03.2023 in the matter of **Abhishek Kumar vs. Staff Selection Commission & Ors.** and seeks similar direction in the instant case also.

3. Learned counsel for the respondents does not dispute the same.

4. For parity of reasons, we allow the present OA in terms of the directions given in the aforesaid OA. However, for the sake of the convenience, the directions given by the Tribunal in **Abhishek Kumar** (supra) are reproduced below :-

“4. After hearing both the learned counsel, we find that there is discrepancy between the results of PETs held for Delhi Police Examination-2016 and 2020 while quoting the height of the applicant. The Standing Order No.212/2020 specifically stipulates that the height of the applicant would be measured by digital mode whereas it has been done by manual mode. In the interest of justice, the respondents are directed to get the height of the applicant measured once again by digital mode in a Govt. hospital run by the Delhi Government recommended by the competent authority for the purpose. The said exercise be completed within a period of four weeks from the date of receipt of certified copy of this order.”

5. In view of the above, this OA is also disposed of in the light of aforesaid directions. No order as to costs.

2. Mr. Dixit, who appears for the petitioner, submits that the Tribunal ought not to have directed a fresh evaluation of the respondent height as his height has been examined twice.

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3. A reading of the order reveals that the direction for a fresh examination was only because there was a discrepancy between the results of the two earlier examinations.
4. Clearly, the Tribunal was justified in directing a fresh examination.
5. No cause arises for interference with the impugned judgment of the Tribunal.
6. The writ petition is accordingly dismissed in *limine*.

**C. HARI SHANKAR, J.**

**ANOOP KUMAR MENDIRATTA, J.**

**DECEMBER 19, 2024**

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[Click here to check corrigendum, if any](#)