



2025:DHC:1634-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 12.03.2025***

+ W.P.(C) 3203/2025

PRASHANT KUMAR

.....Petitioner

Through: Ms.Aditi Gupta, Adv.
(DHCLSC)

versus

UNION OF INDIA THROUGH SECRETARY & ORS.

.....Respondents

Through: Ms.Manisha Agrawal Narain,
CGSC with Mr.Aakash Meena,
Mr.Sandeep Singh Somaria,
Mr.Nipun Jain, Adv. for R-1 &
R-2
SI/CISF Devendra, SI/CISF
Prahlad and SI/CISF Amit**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MR. JUSTICE HARISH VAIDYANATHAN****SHANKAR****NAVIN CHAWLA, J. (ORAL)****CM APPL. 14938/2025**

1. Allowed, subject to all just exceptions.

W.P.(C) 3203/2025 & CM APPL. 14937/2025

2. On the oral prayer made by the learned counsel for the respondents, the Border Security Force, through its Director General, is made a party-respondent to the present petition.

3. Let an amended Memo of Parties be filed by the petitioner during the course of the day.

4. This petition has been filed by the petitioner, challenging the



result of his Physical Standard Test (PST) dated 24.10.2024, basis which the petitioner has been declared ‘*Unfit*’ for appointment to the post of Sub-Inspector in Delhi Police and Central Armed Police Forces Examination-2024 on the ground of his height being 169.5 cms, that is, below the required 170 cms mark.

5. The learned counsel for the petitioner submits that the said Impugned Report is liable to be quashed, inasmuch as, the petitioner in the earlier rounds of selection for the same post, that is, in 2020, was declared qualified in the PST by a Report dated 18.08.2021; in the selection process for the year 2022 for the said post, his height was measured as 170 cms and he was again declared as qualified in the PST; and, the same was the case in the selection process of 2023, wherein he was again declared as qualified in the PST for the same post. She submits that, therefore, the Impugned Report measuring his height as only 169.5 cms cannot be sustained.

6. Issue notice.

7. Notice is accepted by Ms.Manisha Agrawal Narain, the learned counsel on behalf of the respondents.

8. She submits that there is a considerable delay in the petitioner approaching this Court by way of the present petition. She submits that post the declaration of the PET and PST results, even the written examination has already taken place and, therefore, the relief should be denied to the petitioner only on the ground of delay and laches.

9. We have considered the submissions made by the learned counsels for the parties.

10. As far as the objection of the learned counsel for the



respondents that there is a delay in the petitioner approaching this Court, we find no merit in the same. The petitioner had applied for the post of Sub-Inspector in Delhi Police and Central Armed Police Forces Examination-2024. For such a person to avail of his legal remedies itself is a task and a challenge. There is hardly a delay of five months in the petitioner approaching this Court by way of the present petition. The said delay cannot be said to be fatal for the claim of the petitioner.

11. As far as the submission of the learned counsel for the respondents that the written examination has already taken place post the rejection of the candidature of the petitioner, equities can always be balanced, as will be done by the directions that we intend to give in the present Judgment.

12. Coming to the merits of the claim of the petitioner, we find that the Reports dated 18.08.2021, 04.02.2023 and 21.11.2023, which had declared the petitioner as qualified in the PST for the same post, though for the selection process for the previous years, raise a genuine and *bona fide* doubt on the Impugned Report, which measured the height of the petitioner at 169.5 cms, that is, only 0.5 cms below the prescribed standard, and declared the petitioner disqualified on the PST standard.

13. Accordingly, we direct that the height of the petitioner be re-measured at the Safdarjung Hospital, New Delhi. The Medical Superintendent, Safdarjung Hospital, New Delhi is requested to assist the parties in the said process.

14. The petitioner shall make himself available for the said



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measurement at the Office of the Medical Superintendent, Safdarjung Hospital, New Delhi on 27.03.2025 at 11:00 AM. The representative of the respondents may also be present during the said measurement process.

15. In case the petitioner is found to be meeting the PST standards prescribed by the respondents for the selection process for the above post, the petitioner shall be declared qualified in the PET and the PST standards.

16. As the written examination is already stated to have taken place, the petitioner shall be made to undergo the written examination with the next batch of the candidates. In case age relaxation is to be given to the petitioner, the same shall also be extended to the petitioner for the same.

17. In case the petitioner is eventually found successful for appointment, the petitioner shall be offered such employment along with the next batch of the selected candidates.

18. *Dasti.*

19. A copy of this Order be also sent to the Medical Superintendent, Safdarjung Hospital, New Delhi for ensuring compliance.

20. The petition alongwith the pending application is disposed of with the above directions.

NAVIN CHAWLA, J

HARISH VAIDYANATHAN SHANKAR, J
MARCH 12, 2025/sg/IK

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