



2025:DHC:3793-DB



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

Date of decision: 14.05.2025

+ W.P.(C) 6340/2025
STAFF SELECTION COMMISSION & ORS.Petitioners
Through: Ms.Avshreya Pratap Singh
Rudy, Adv for Mr.Amit Gupta,
SPC

versus

AVGALLA MEENARespondent
Through: Ms.Esha Mazumdar, Ms.Setu
Niket & Ms.Muskan Sharma,
Advs

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 28940/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 6340/2025 & CM APPL. 28939/2025

2. This petition has been filed by the petitioner, challenging the Order dated 11.03.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, 'Tribunal') in O.A. No. 885/2024, titled ***Avgalla Meena v. Staff Selection Commission & Ors.***, allowing the said O.A. filed by the respondent with the following directions:

"9. The present OA is accordingly disposed



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of with a direction to the competent authority amongst the respondents to conduct a fresh medical examination of the applicant by way of constituting an appropriate medical board in any government medical hospital except the Hospital which has already conducted the initial and the review medical examination.

10. Needless to say that the competent authority shall thereafter pass appropriate orders with respect to the candidature of the applicant on the basis of the outcome of such an independent/fresh medical examination.

11. The directions contained herein shall be complied with within a period of six weeks from the date of receipt of a certified copy of this order. In the event of the applicant being declared medically fit and subject to his meeting other criteria, she shall be given appointment forthwith. The applicant, in such an eventuality, shall also be entitled to grant of all consequential benefits, however, strictly on notional basis.”

3. As it is evident from the above, the Impugned Order had granted six weeks’ time to the petitioners herein to comply with the directions passed by the learned Tribunal. However, the present petition has been filed by the petitioners on 15.04.2025, that is, with a delay of about thirteen months, without any justification thereof.

4. In this regard, we may draw reference to the Judgment of the Supreme Court in **Chennai Metropolitan Water Supply & Sewerage Board & Ors. v. T.T. Murali Babu**, (2014) 4 SCC 108, wherein the Supreme Court has held as under:-

“16. Thus, the doctrine of delay and laches should not be lightly brushed aside. A writ court is required to weigh the explanation offered and the acceptability of the same. The



court should bear in mind that it is exercising an extraordinary and equitable jurisdiction. As a constitutional court it has a duty to protect the rights of the citizens but simultaneously it is to keep itself alive to the primary principle that when an aggrieved person, without adequate reason, approaches the court at his own leisure or pleasure, the court would be under legal obligation to scrutinise whether the lis at a belated stage should be entertained or not. Be it noted, delay comes in the way of equity. In certain circumstances delay and laches may not be fatal but in most circumstances inordinate delay would only invite disaster for the litigant who knocks at the doors of the court. Delay reflects inactivity and inaction on the part of a litigant — a litigant who has forgotten the basic norms, namely, “procrastination is the greatest thief of time” and second, law does not permit one to sleep and rise like a phoenix. Delay does bring in hazard and causes injury to the lis.”

5. In the present case, the respondent had approached the learned Tribunal being aggrieved of the rejection of her candidature for appointment to the post of Constable (Exe.)(Female) in the Delhi Police Examination, 2023 on the ground of her perceived unfitness. The learned Tribunal has directed her re-medical examination. In such matters, the petitioners have to act with expedition as delay causes not only irretrievable injustice to the respondent, who would keep waiting in hope that she may be declared fit in such re-examination and may secure employment and, therefore, leave out other opportunities of employment that may come her way in the *interregnum*, but also to the petitioners as well in the form of administrative chaos if the respondent is to be later offered employment. The petitioners,



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therefore, cannot be allowed to challenge the Impugned Order at its leisure and in the meantime, defy the direction of the learned Tribunal with impunity.

6. In view of the unexplained delay, we do not deem it proper to interfere with the Impugned Order in exercise of the extraordinary jurisdiction under Article 226 of the Constitution of India vested in us.

7. The petition along with the pending application, is accordingly, dismissed on account of delay and laches.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MAY 14, 2025/rv/SJ

Click here to check corrigendum, if any