



2025:DHC:4384-DB



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

Date of decision: 26.05.2025

+ W.P.(C) 7291/2025
DELHI POLICE & ORS.Petitioners

Through: Mr.Balendu Shekhar, CGSC,
Mr.Krishna Chaitanya,
Mr.Rajkumar Maurya, Advs.

versus

KAMOD GURJARRespondent

Through: Ms.Esha Mazumdar, Mr.Ankit
Chauhan, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

CM APPLs. 32821-22/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 7291/2025 & CM APPL. 32820/2025, 32823/2025

2. This petition has been filed, challenging the Order dated 24.12.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as 'Tribunal') in O.A. No. 4643/2024, titled ***Kamod Gurjar v. Delhi Police & Ors.***, allowing the said OA filed by the respondent herein with the following directions:

"5. In view of the above, the OA is disposed of with the following directions:

i) The order for cancellation of the candidature of the applicant dated 18.11.2024



is set aside.

ii) The respondents are directed to conduct re-medical examination of the applicant within forty five days of the receipt of a certified copy of this Order.

iii) Needless to say, in the event the applicant is found to be fit, all consequential benefits shall follow.”

3. The respondent had applied for compassionate appointment on account of the death of her husband late Ct. Amit Singh, who unfortunately passed away on 06.04.2022 while he was in service. On the approval of the recommendation of the Screening Committee, she appeared in the Typing Test and successfully completed the same. She was then called for medical examination. The Detailed Medical Examination Board, *vide* its report dated 03.10.2024, declared her medically ‘unfit’ for the reasons of “Hb-9.0 gm/dL” and “discoloration of tongue”.

4. Aggrieved of the same, the respondent applied for re-medical examination, which was conducted on 08.10.2024, and the Review Medical Examination Board again declared her ‘unfit’ for appointment on account of having “↓ Hb-9.8 gm/dL (Hb should be 10 gm % or more in females as per policy 10-14 gm %)”.

5. While it is admitted that the Hemoglobin should be more than 10gm/dL in females, the respondent claiming that she had got herself examined subsequently at multiple hospitals which found her hemoglobin levels to be 10.7 gm/dL, 11.40 gm/dL, 11.8 gm/dL and 10.8 gm/dL, had approached the learned Tribunal seeking relief.

6. The learned Tribunal, by its Impugned Order, has allowed the



OA finding that the respondent was only found to be temporarily 'unfit', and directed that she be re-medically examined.

7. Though we do not agree with the above reasoning of the learned Tribunal, however, in the peculiar facts of the present case, where the respondent was seeking compassionate appointment and has been declared medically 'unfit' on account of having border-line low hemoglobin of 9.8 gm/dL, we do not deem it appropriate to interfere with the finding of the learned Tribunal in exercise of our power under Article 226 of the Constitution of India.

8. The petition and the pending applications are therefore dismissed.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MAY 26, 2025/Arya/ik

Click here to check corrigendum, if any