



2025:DHC:10653-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 27.11.2025***

+ W.P.(C) 13849/2024 & CM APPL. 57990/2024
STAFF SELECTION COMMISSION & ORS.Petitioners
Through: Mr. Jivesh Kumar Tiwari,
CGSC with Ms. Samiksha,
Adv.
versus

SH. GAURAV RANARespondent
Through: None

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. In spite of service and in spite of endeavours being made by the petitioners to inform the respondent about the pendency of the present petition, the respondent has not appeared. The respondent is, therefore, proceeded *ex-parte*.
2. This petition has been filed 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.892/2024, titled ***Gaurav Rana v. Staff Selection Commission & Ors.***, whereby the learned Tribunal disposed of the O.A. filed by the respondent herein, directing the petitioner to conduct a fresh Medical Examination of the respondent by constituting an appropriate Medical Board in any Government Medical Hospital,



except the hospital which has conducted the initial and the Review Medical Examination of the respondent.

3. Briefly stating the facts giving rise to the present petition are that the respondent had applied for the post of Constable (Executive) Male in the Delhi Police Examination, 2023, pursuant to the Advertisement/Notification issued by the petitioners on 01.09.2023. He was, however, declared 'unfit' for appointment on 22.01.2024, by the Detailed Medical Examination (DME) Board, on the grounds of "*Defective distant vision Rt eye 6/60*" and "*Carry Angle Rt hand 25° (cubitus Valgus Rt.)*".

4. Aggrieved of the same, the respondent applied for a Review Medical Examination (RME). The RME Board, on 29.01.2024, again declared the respondent 'unfit' for appointment. We quote the finding of the RME as below:

"(1) Eye R-6/60, L-6/6 (UNFIT)

(2) Carrying angle Rt. Hand < 18 ° no. cubitus valgus"

5. The respondent challenged this finding before the learned Tribunal in the form of the above O.A., claiming that, subsequent to the RME, he had got himself examined at two different Government Hospitals and the reports thereof did not state that he suffered from defective vision in his right eye.

6. The learned Tribunal, as noted hereinabove, directed the petitioners to have the respondent re-examined by a Medical Board.

7. Aggrieved of the Impugned Order passed by the learned Tribunal, the petitioners have filed the present petition.



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8. The learned counsel for the petitioners submits that the opinion of the DME Board and the RME Board have been interfered with by the learned Tribunal merely on the basis that other hospitals have given divergent opinions. He submits that the same cannot be a ground for disregarding the opinions of the DME Board and the RME Board. He places reliance on the Judgement of this Court in ***Staff Selection Commission & Anr. v. Vishal Samadhiya***, 2025:DHC:10010-DB.

9. We have considered the submissions of the learned counsel for the petitioners and perused the record.

10. In the present case, there is a consistent report of DME and RME with respect to the defective vision in the right eye of the respondent. Though the respondent relied upon the reports of All India Institute of Medical Sciences and Dr. Ram Manohar Lohia Hospital, to contend that in these hospitals, there was no defect found in his vision, we note that he had reported to these hospitals with complaints of blurriness in the eyes. Dr. Ram Manohar Lohia Hospital in fact advised him rest and further examination after a month. Given the fact that the respondent has not appeared in this Court in spite of notice, we could not seek further explanation from the respondent on the same.

11. We therefore, are unable to sustain the Impugned Order passed by the learned Tribunal. The medical examination of a candidate in a recruitment process cannot be an unending exercise with multiple appeals or reviews. Once the DME Board and the RME Board have given consistent opinion, the same ordinarily should not be doubted



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only on the basis of a report from other hospitals, including from a Government Hospital.

12. In view of the above, the Impugned Order cannot be sustained and is accordingly set aside. The petition is allowed in the above terms. The pending application also stands disposed of as infructuous.

13. There is no order as to costs.

NAVIN CHAWLA, J

MADHU JAIN, J

NOVEMBER 27, 2025/Arya/ik