



2025:DHC:350-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 22.01.2025***

+ W.P.(C) 14745/2024 & CM APPL. 61928/2024

STAFF SELECTION COMMISSIONER & ORS.

.....Petitioners

Through: Mr.Farman Ali, SPC with
Ms.Laavanya Kaushik, GP &
Ms.Usha Jamwal, Adv.

versus

MUKEEM KHAN & ANR.

.....Respondents

Through: Ms.Esha Mazumdar, Mr.Setu
Niket, Ms.Unni Maya S. &
Mr.Devansh Khatter, Adv.

CORAM:**HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR****NAVIN CHAWLA, J. (Oral)**

1. This petition has been filed by the petitioners, challenging the Order dated 22.03.2024 read with the Order dated 08.04.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, 'Tribunal') in O.A. No. 735/2024 and M.A. No. 1237/2024, titled *Mukeem Khan vs. Staff Selection Commission & Ors.*, directing the petitioners herein to conduct a re-medical examination of the condition suffered by the respondent herein by constituting a fresh medical board.

2. The respondent had been declared unfit for appointment to the post of Constable (Executive) (Male) in the Delhi Police Examination, 2023 by the report dated 29.01.2024 of the Review Medical Examination (in short, 'RME') Board, which found the respondent to be suffering



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from “*isolated systolic hypertension*”.

3. Earlier, the respondent had been declared unfit for appointment by the Detailed Medical Examination Board as well, due to him suffering from high blood pressure.

4. In our Order dated 30.11.2024, we had taken note of the fact that before being declared ‘*Unfit*’, the blood pressure of the respondent had been recorded by the RME Board on at least 10 occasions over a period of 24 hours. The learned counsel for the respondent had, however, submitted that the Medical Board was under an obligation to have the respondent admitted in hospital, and measure the blood pressure of the respondent over a period of three days, before declaring him unfit for appointment.

5. Today, she submits that while there are no specific medical guidelines to this effect as far as the Delhi Police is concerned, the ‘Guidelines for Review Medical Examination in Central Armed Police Forces and Assam Rifles for GOs and NGOs’ applicable to the Central Armed Police Forces makes it obligatory for the Medical Board to have the candidate admitted in a hospital before giving their final opinion. We may quote from the guidelines as under:-

7. Following examples are cited for the guidance of Review Medical Board:-

xxxxx

e) For candidates who have been rejected on the ground of hypertension/tachycardia should be admitted/hospitalised by the Board before giving their final opinion regarding the candidate’s fitness or otherwise. The hospitalization report should indicate whether the rise in blood pressure is of transient nature due to excitement etc. or whether it is due to any organic disease. In all such cases X-ray



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and electro-cardiographic examinations of heart and blood examinations like cholesterol/lipid profile, S. Creatinine etc, tests should also be carried out.”

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

7. As far as hypertension is concerned, taking note of the fact that there can be ‘white coat syndrome’ suffered by a candidate at the time of his selection, the medical guidelines applicable to the Central Armed Police Forces specifically provide for hospitalization of the candidate and other tests being conducted for the candidate who is found to be suffering from hypertension so that a conclusive opinion on the same can be rendered. While the same guidelines may not be applicable to the Delhi Police, however, in our opinion, the same would form the right basis for declaring a candidate unfit for appointment, if such candidate is found to be suffering from hypertension. In this regard we may refer to the Judgment of this Court in ***Prashan Kumar v. Union of India & Ors.***, 2023:DHC:5387-DB.

8. In view of the above, and as it is not shown by the petitioners that the above procedure was followed in the case of the respondent, we find no merit in the present petition. The same, along with the pending application, is accordingly dismissed.

NAVIN CHAWLA, J

HARISH VAIDYANATHAN SHANKAR, J

JANUARY 22, 2025/rv/SJ

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