



2025:DHC:11255-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 10.12.2025***

+ W.P.(C) 16599/2024
GOVT OF NCT OF DELHI & ANR.Petitioners
Through: Ms.Theepa Murugesan, SPC
with Mr.Yogesh Dubey, Adv.
HC Vikash
versus

KRISHNA PALRespondent
Through: None

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

NAVIN CHAWLA, J. (ORAL)**CM APPL. 70170/2024 (Exemption)**

1. Allowed, subject to all just exceptions.

W.P.(C) 16599/2024 & CM APPL. 70169/2024

2. This petition has been filed, challenging the Order dated 04.04.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, the 'Tribunal') in O.A. No.1374/2024, titled ***Krishna Pal v. Govt of NCT of Delhi Through the Chief Secretary & Anr.***, whereby the said O.A. filed by the respondent herein was disposed of with the following directions:

"7. Accordingly, the present OA is also disposed of with the same directions as contained in para 9 to 12 of the order quoted above, however, with a slight modification, taking into consideration the present



circumstances that we allow a period of twelve weeks to the respondents instead of six weeks allowed in the OA quoted above.”

3. The brief facts giving rise to the present petition are that the petitioners issued an Advertisement on 01.09.2023, calling for applications for an open competitive examination for recruitment to the post of Constable (Executive) Male & Female in Delhi Police. The respondent participated in the same, however, was declared unfit for appointment by the Detailed Medical Examination Board, *vide* its Report dated 19.01.2024, on the ground of ‘*colour blind, hypertension*’. Aggrieved of the same, the respondent applied for a Review Medical Examination. The Review Medical Examination Board also, *vide* its Report dated 21.01.2024, declared the respondent unfit for appointment on the ground of ‘*defective colour vision and hypertension*’.

4. The respondent filed the above O.A., challenging these reports, contending that he had sought an independent opinion from a government institution, in which he had been declared fit, both in terms of vision and blood pressure.

5. The learned Tribunal has passed the above directions by simply placing reliance on the Order dated 11.03.2024 passed in O.A. No. 670/2024, titled ***Anjali v. Staff Selection Commission & Ors.***, without considering the peculiar facts of the present case.

6. Despite service of notice on the respondent, none has appeared for the respondent.

7. The learned counsel for the petitioners has produced before us



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the file containing the medical examination of the respondent. The same shows that the Review Medical Examination Board, *inter alia*, consisted of an expert Ophthalmologist (Eye Specialist).

8. This Court, in *Staff Selection Commission & Ors. v. Aman Singh*, (2024) SCC OnLine Del 7600, has held that where the findings of the Medical Examination Board are based on an expert's opinion, they should normally not be interfered with.

9. We are, therefore, unable to sustain the Order passed by the learned Tribunal. The medical examination of the respondent cannot be an open-ended process. Accordingly, the Impugned Order is set aside.

10. The petition is allowed in the above terms. The pending application is disposed of as infructuous.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 10, 2025/sg/Yg