



2025:DHC:2666-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 17.04.2025***

+ W.P.(C) 4883/2025

STAFF SELECTION COMMISSION AND ORSPetitioners

Through: Mr. Jagdish Chandra, CGSC
with Mr. Tushar Arora and Mr.
Shubham Kumar Mishra, Advs.
HC Vikas, Delhi Police.

versus

DHARMENDRA SINGHRespondent
Through:

CORAM:**HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE RENU BHATNAGAR****NAVIN CHAWLA, J. (ORAL)****CM APPL. 22490/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

W.P.(C) 4883/2025 AND CM APPL. 22489/2025

2. This petition has been filed by the petitioners, challenging the Order dated 10.05.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as 'Tribunal') in Original Application No. 991/2024 (hereinafter referred to as 'OA'), titled ***Dharmendra Singh v. Staff Selection Commission & Anr.***, allowing the O.A. filed by the respondent herein with the following directions: -

"4. In the conspectus of things, we find that the facts in the present case and the ones in the aforesaid OA are similar, in all fours.

Signature Not Verified

Signed By: VIJAYA
LAKSHMI DOBHAL
Signing Date: 22.04.2025
18:23:53

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*Accordingly, the instant OA is also disposed of on the same analogy. Respondents are hereby directed to comply with the aforesaid directions (OA No.519/2024 - **Teekaram Singh Meena vs. SSC and Ors.**) within twelve weeks from the date of receipt of a certified copy of this order."*

3. We do not deem it appropriate to interfere with the Impugned Order, especially keeping in view the delay and laches with which the present petition has been filed.

4. We also find that the case of the respondent would be covered by the decision of this Court in **Staff Selection Commission and Anr. V. Shahjeb Ali**, 2025:DHC:2303-DB, wherein, on similar facts, this Court has held as under:-

*"12. In **Aman Singh (supra)**, this Court, while laying down the general principles applicable to a challenge to the medical opinions in a selection process, inter alia, held as under:*

"10.38 In our considered opinion, the following principles would apply:

xxx

(c) If the condition is one which requires a specialist opinion, and there is no specialist on the Boards which have examined the candidate, a case for interference is made out. In this, however, the Court must be satisfied that the condition is one which requires examination by a specialist. One may differentiate, for example, the existence of a haemorrhoid or a skin lesion which is apparent to any doctor who sees the candidate, with an internal orthopaedic deformity, which may require radiographic examination and analysis, or an ophthalmological impairment. Where the existence of a medical condition which ordinarily would require a specialist for assessment is certified only by Medical Boards which do not include any such specialist, the Court would be justified in directing a fresh examination of the



candidate by a specialist, or a Board which includes a specialist. This would be all the more so if the candidate has himself contacted a specialist who has opined in his favour.”

13. In the present case, from the record of the DME or the RME, it is not becoming evident that either of these Boards included a Specialist Orthopaedic. In fact, the learned counsel for the respondent has drawn our attention to the Order dated 16.01.2024, issued by the Additional DG (Medical) CAPFs, NSG & AR, Ministry of Home Affairs, GoI, regarding the constitution of the Medical Board, which clearly shows that an Orthopaedic Specialist was not a part of either Board.

14. It is also not disputed that the respondent was never referred to a specialist orthopaedic for an expert opinion on the carrying angle.

*15. Applying the principle laid down by this Court in **Aman Singh (supra)**, therefore, we find no infirmity in the impugned order passed by the learned Tribunal.*

5. In view of the above, the present petition stands dismissed.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

APRIL 17, 2025

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Click here to check corrigendum, if any