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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision : 01.04.2026

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W.P.(C) 4191/2026

ARYAN YADAV

.....Petitioner

Through:

Mr. Anuj Aggarwal, Mrs. Manika V. Aggarwal, Mr. Vikrant Chawla, Mr. Mayank Chauhan and Mr. Prabhav Pachauri, Advocates.

versus

UNION OF INDIA AND ORS

.....Respondent

Through:

Mr. Sushil Kumar Pandey, SPC with Mr. Aman kr Pandey & Mr. Pradip Sharma, Advs.
Mr. Ajay Pal Law Officer Insp. Athurv and Mr. Ramniwas Yadav CRPF.**CORAM:****HON'BLE MR. JUSTICE V. KAMESWAR RAO****HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA****V. KAMESWAR RAO, J. (ORAL)****CM APPL. 20465/2026**

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 4191/2026 & CM APPL. 20464/2026

3. This petition has been filed with the following prayers:
 - a. *Issue a Writ of Certiorari or any other appropriate writ,*



order, or direction quashing the findings of the Detailed Medical Examination dated 21.11.2025 and the Review Medical Examination dated 24.11.2025, whereby the Petitioner was declared medically unfit on the ground of being allegedly 'overweight';

- b. Issue a Writ of Mandamus or any other appropriate writ, order, or direction, commanding the Respondents to constitute a fresh and independent Medical Board at a reputed Government/Army Hospital in Delhi to conduct a re-examination of the Petitioner's physical standards, particularly his weight;*
- c. Issue a further Writ of Mandamus or any other appropriate writ, order, or direction, commanding the Respondents to consider the Petitioner for appointment to the post of Constable (GD) in CAPFs Examination-2025, with all consequential benefits, if he is found fit by the independent Medical Board.*

4. Concedingly, the petitioner is a resident of Gorakhpur, Uttar Pradesh and he is challenging the findings of the Detailed Medical Examination dated 21.11.2025 and Review Medical Examination dated 24.11.2025 which were admittedly held in Pune, Maharashtra. Hence merely because Staff Selection Commission is situated in Delhi, the petitioner could not have approached this Court.

5. Mr. Anuj Aggarwal, learned counsel for the petitioner would rely upon the order of the High Court of Judicature at Allahabad to contend that the Allahabad High Court while dismissing the petition has granted liberty to the petitioner to approach the Court having territorial jurisdiction over the matter. It is his submission that in view thereof, the petitioner has approached this Court.

6. We are still of the view that the same shall not make the petitioner approach this Court. Moreso, for the reason that no cause of action has



arisen within the territorial jurisdiction of this Court.

7. In view of the aforesaid conclusion by us, inasmuch as the Medical Boards were held at Pune, Maharashtra, the remedy for the petitioner is to approach the Court, which shall have the territorial jurisdiction over Pune.

8. Our attention has been drawn to Clause 18 of the notification issued by the Staff Selection Commission wherein the following has been stipulated:

*“18. **Court’s Jurisdiction:** Any dispute in regard to this Recruitment Examination will be subject to courts having jurisdiction over the place of the Regional Office concerned of the Commission where the candidate has appeared for the Computer-Based Examination.”*

9. From the above also, it is clear that the dispute with regard to the recruitment/examination shall be subject to the courts having jurisdiction over the place of Regional Office concerned of the Staff Selection Commission where the candidate has appeared for the Computer Based Examination.

10. Mr. Aggarwal concedes that the petitioner had appeared in the Computer Based Examination at Pune, Maharashtra.

11. A similar issue had come up before us for adjudication in W.P.(C) No.3494/2026 titled **Bicky Kumar Mahato v. Union of India & Anr.** We had decided the same on 19.03.2026 and dismissed the petition on the ground of territorial jurisdiction by stating in paragraph 2 onwards, as under:

“2. Suffice to state that the challenge in this case is to the conclusion drawn by the Review Medical Examination Board (RMEB), which found the petitioner to be unfit for recruitment to the post of Constable (GD) with Central Armed Police Force (CAPF).



3. On a pointed query to the learned counsel for the petitioner as to whether this petition is maintainable when the petitioner is resident of West Bengal and the subject matter of the challenge is in respect of the RMEB report, which was undertaken at Durgapur, West Bengal, the learned counsel for the petitioner has relied upon the judgment of this Court in the case of **Davender Kumar v. Union of India & Others, 2018:DHC:1227-DB** to contend that since the Head Office of the respondent is situated in Delhi, this Court will have the jurisdiction.

4. On identical issue, this Court in the case of **Anand Kumar v. Union of India & Others, 2025:DHC:206-DB** has held as under:-

“4. Apart from the fact that the Impugned Order dismissing the petitioner from service has not been issued at Delhi, it is trite law that “cause of action” means a bundle of facts which is necessary for the petitioner to prove in order to succeed in the proceedings. It does not completely depend upon a character of the relief prayed for by the petitioner. A small part of the cause of action arising within the territorial jurisdiction of a High Court may not be considered as a determinative factor compelling the High Court to decide the matter on its own merits. In such a case, the doctrine of forum non conveniens shall apply.”

5. We are unable to accept such a plea of the learned counsel for the petitioner for the simple reason that bundle of facts which need to be determined while considering to grant the prayers as made by the petitioner is only in respect of the report of RMBE. Concedingly, the report was drawn at Durgapur, West Bengal.

6. In the facts of the case, we state that no cause of action has arisen for petitioner to approach this Court. Liberty shall be with the petitioner to approach the Court having



the jurisdiction. The petition is closed.”

(emphasis supplied)

12. For parity of reasons and also for additional reason in view of Clause 18 of the notification, we hold this Court lacks territorial jurisdiction to entertain this writ petition. We grant liberty to the petitioner to approach the Court which shall have the territorial jurisdiction over Pune, Maharashtra for ventilating grievance against DME/RME.

13. In view of the above, the petition along with pending application is dismissed with liberty as above.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

APRIL 01, 2026

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