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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision : 12.03.2026

+ W.P.(C) 16178/2025

CT/GD PRAJAKTA WAKCHAURE

.....Petitioner

Through: Mr. Shreevardhan Dhoot and Mr.
Amrit Rathi, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Chetanya Puri, SPC, Ms. Archana
Kumari and Mr. Rishab Jain, Advs.
and Mr. Tanveer Ahmed, DC, CISF.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

MANMEET PRITAM SINGH ARORA, J. (ORAL)

1. The instant civil writ petition has been filed under Article 226 of the Constitution of India impugning the order dated 24.09.2022 passed by the Physical Efficiency Test ['PET'] Board¹, whereby the Petitioner was declared as "Failed in 100 mtrs. race" for recruitment to the post of Assistant Sub Inspector (Executive) through Limited Departmental Competitive Examination ['LDCE'], 2020 in Central Industrial Security Force ['CISF'].
2. The Petitioner was appointed in CISF on 14.04.2012. She applied and appeared for the post of Assistant Sub Inspector (Executive) in CISF

¹RTC Arakkonam, P.O. Suraksha Campus, Dist. Vellore, Tamil Nadu.



through LDCE in furtherance of notification dated 31.12.2020. She duly appeared and successfully cleared the stages (I) to (III) i.e., checking of service records, written examination and physical standard test. The Petitioner duly appeared for the Stage IV i.e., the PET on 24.09.2022 at Principal-CISF RTC Arakkonam, Suraksha Campur, Dist. Vellore, Tamil Nadu. This stage consists of four sub-stages: 800 mtrs. race in 4 minutes, 100 mtrs. race in 18 seconds, 3 feet (High Jump) in 3 chances, and 9 feet (Long Jump) in 3 chances.

3. The Petitioner qualified in the 800 mtrs. race, however, in the 100 mtrs. race, the Petitioner was declared unsuccessful on the ground that she did not complete the 100 mtrs race in the stipulated time of 18 seconds.

4. It is the case of the Petitioner that she was not informed about the timing clocked-in at the 100 mtrs race nor was she provided any videographic proof when she enquired for the same.

It is stated that when Petitioner ran the 100 mtrs race, she was initially declared as 'pass' by the person in-charge however, for reasons not explained to her, she was subsequently declared as 'failed'. The Petitioner also filed an appeal immediately on 24.09.2022 against the proceedings held on 24.09.2022.

5. It is the stand of the Petitioner that the selection process undertaken on 24.09.2022 was not transparent and the Petitioner and other participants/candidates were not disclosed the timing clocked by them at the race.

6. Learned counsel for the Petitioner relies upon the order passed by the Division Bench in **W.P. (C) 1617/2023** titled as '**CT/GD Suman Yadav v.**



Union of India', in the case of another constable, who had also participated in the Stage IV PET on 24.09.2022 and had raised similar contentions of lack of transparency which found favour with the Court; and the respondents were directed to conduct a retest of the petitioner therein i.e., Suman Yadav.

6.1 He relies upon the said judgment and submits that similarly the Petitioner herein should also be given an opportunity to have a re-test of the 100 mtrs. race and her application/candidature be proceeded with for further assessments.

6.2 He states that the Petitioner is entitled to only three attempts to secure a promotion through LCDE and this is her last permissible attempt or else she will have to wait for 15 to 20 years to attain promotion in natural course of events.

6.3 He has drawn the Court's attention to the check-sheet for the PET conducted on 24.09.2022, which is filed as a part of Annexure R-6 with the Counter Affidavit.

7. This Court has enquired from the Respondents with respect to the timing clocked in by the Petitioner for the 100 mtrs. race on 24.09.2022.

8. Learned counsel for Respondents state that no data has been maintained with respect to the timing clocked in by the participants in the race including the Petitioner and the sheet merely records (✓) mark for the candidate which qualified, and (X) mark for the candidate which did not qualify.

8.1 He states that the race was videographed on 24.09.2022, however, he submits that the videography of the race of 100 mtrs. has been corrupted and is now unavailable. He states that in these circumstances Respondent is



unable to state before this Court the specific time clocked in by the Petitioner.

8.2 He states that the recruitment process in pursuance to the LDCE-2020 has been completed. He states that the unfulfilled vacancies of the recruitment year 2020 has been converted to promotion quota as per the Recruitment Rules, 2018 and thus no vacancy remains available for the recruitment year 2020.

9. We have considered the submissions made by the parties.

10. This Court notes that the impugned result declaring the Petitioner as “Failed in 100 mtrs. race” was issued on 24.09.2022. The record shows that the Petitioner promptly preferred an appeal on 24.09.2022 itself challenging the said result. The filing of the appeal immediately after declaration of the result demonstrates that the Petitioner had, at the earliest opportunity, raised a grievance disputing the correctness and fairness of the result recorded against her.

11. This Court has also perused the check-sheet placed on record by the Respondents as part of Annexure R-6. A perusal of the said document indicates visible overwriting in the cell corresponding to the result of the Petitioner in the 100 mtrs. race. The existence of such overwriting lends some credence to the submission of the Petitioner that she was initially informed that she had qualified the race and was subsequently declared as “failed”. The Respondents have not offered any satisfactory explanation for the said alteration.

12. More importantly, when queried by this Court regarding the exact time clocked by the Petitioner in the 100 mtrs. race, learned counsel for the



Respondents fairly submits that no contemporaneous record of the precise timing clocked by each participant has been maintained. It is further stated that the videography of the said 100 mtrs race is not available on account of corruption of the recording. Consequently, the Respondents are unable to place before this Court any objective material to substantiate the conclusion/result that the Petitioner failed to complete the race within the stipulated time of 18 seconds.

13. In the aforesaid circumstances, particularly where (i) the contemporaneous record reflects overwriting, (ii) no record of the actual timing clocked by the Petitioner at 100 mtrs race has been maintained, and (iii) the videographic record of the race is unavailable, this Court is of the considered view that the Respondents have been unable to satisfactorily substantiate the declaration of the Petitioner as “failed”. In such peculiar facts, the interest of fairness in a recruitment process warrants that the Petitioner be afforded a limited opportunity of a re-test.

14. At the same time, this Court takes note of the submission of the Respondents that the recruitment process pursuant to LDCE-2020 has already been concluded and that the vacancies of the said recruitment year are no longer available.

Learned counsel for the Petitioner, on instructions, submits that the Petitioner would be satisfied if she is permitted to undertake a re-test and, if found successful in Stage- IV, be considered for the next LDCE recruitment cycle for the post of ASI (Executive), and that she shall not claim any seniority or other benefits with reference to LDCE-2020. The said



undertaking is taken on record, and the Petitioner shall remain bound by the same.

15. Accordingly, the Respondents are directed to conduct a re-test of the Petitioner in the 100 mtrs. race forming part of the PET. In the event the Petitioner successfully qualifies the said race within the prescribed time, she shall be permitted to undertake the remaining components of the PET, namely the High Jump and Long Jump of Stage-IV, in accordance with the applicable standards.

In order to ensure transparency, it is directed that the re-test of the Petitioner in the 100 mtrs. race shall be videographed, and the exact time clocked by the Petitioner shall be recorded and preserved by the Respondents. The video recording and relevant data shall be retained by the Respondents for a minimum period of three months from the date of the test.

16. The aforesaid re-test shall be conducted within a period of four weeks from the date of this order. In the event the Petitioner qualifies the PET, i.e., Stage-IV, the Respondents shall proceed with her candidature further in accordance with law and consider the Petitioner for selection to the post of Assistant Sub Inspector (Executive) in the next LDCE recruitment cycle, subject to fulfilment of all other eligibility requirements. It is clarified that the Petitioner will not have to go through Stage-I, Stage-II and Stage-II tests again.

It is also directed that the Petitioner will not be entitled to claim any seniority or other benefits with reference to LDCE-2020.



17. Needless to state that if the Petitioner is aggrieved by any subsequent action taken by the Respondents, it shall be open to her to avail such remedies as may be available in law.

18. Having perused the judgment of this Court in **W.P.(C) 1617/2023** and the facts in this petition, this Court considers it appropriate to observe that the prevalent practice of merely marking candidates as “pass” or “fail” without maintaining any contemporaneous record of the actual time clocked by each candidate in a timed event is liable to raise concerns regarding transparency in the selection process. The Respondents would therefore be well advised to consider adopting a system whereby the exact timing clocked by each candidate is recorded and preserved, along with proper videographic documentation of the event.

19. Accordingly, the petition stands disposed of. Pending applications, if any, disposed of. No costs.

MANMEET PRITAM SINGH ARORA, J

V. KAMESWAR RAO, J

MARCH 12, 2026/AM