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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 17590/2025 & CM APPL. 72668/2025

RAM KUMAR

.....Petitioner

Through: Mr. Sourabh Ahuja, Adv.

versus

DELHI TRANSPORT CORPORATION

AND ANR

.....Respondents

Through: Ms. Manisha Tyagi, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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16.01.2026

1. Through the present writ petition, the Petitioner assails correctness of orders dated 04.12.2020, 25.01.2024, 06.02.2024, passed by the Delhi Transport Corporation. The petitioner also assails the order dated 16.07.2025, passed by the learned Central Administrative Tribunal in O.A. No. 1939/2024, whereby the O.A. filed by the Petitioner against the orders dated 06.02.2024 and 25.01.2024 has been dismissed.
2. On attaining the age of 55 years, the Petitioner retired from his position as a Driver with DTC. He is essentially aggrieved by rejection of his request for extension in service on the basis of the opinion of the DTC Medical Board.
3. The learned counsel representing the Petitioner contends that Chairman-cum-Managing Director/ Managing Director of the DTC has discretion to get an employee re-examined through an independent medical board to be constituted by Secretary, Health & family Welfare, GNCTD.
4. He submits that in case of another similarly situated employee, such discretion was exercised, but in the case of the Petitioner, the aforesaid procedure was not adopted.



5. This Court has examined the matter. It is seen that the Petitioner was initially examined by the DTC Medical Board on 05.10.2023. The Petitioner was re-examined by the DTC Medical Board on 12.10.2023 and it was found that the Petitioner is not fit to be granted extension as he was opined to have “Restricted movement Right Elbow Joint”.

6. In any case, the discretion exercised by DTC in a particular case cannot be cited as a precedent to direct DTC to universally adopt such practice.

7. Admittedly, the Petitioner has completed his normal service and retired. He cannot be allowed to seek extension of his service as a matter of right, particularly when the Medical Board has declared that he is not fit to drive a public transport vehicle.

8. The counsel representing the Petitioner submits that Guru Teg Bahadur Hospital, Dilshad Garden, Delhi, has declared that the Petitioner is fit.

9. This Court has examined the aforesaid OPD Card where although the Petitioner has been declared fit for duty, however, it has not been certified that he is found fit to drive a public transport vehicle or to perform a duty of this nature.

10. In view of the aforesaid discussion, this Court finds no ground to entertain the present writ petition.

11. Accordingly, the present writ petition along with the pending application is dismissed.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

JANUARY 16, 2026/‘KDK’