



2025:DHC:205-DB



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

*Date of decision: 14.01.2025*

+ W.P.(C) 405/2025

**GAURAV KUMAR**

.....Petitioner

Through: Mr. Vikas Singh & Ms. Nisha  
Dhaka, Advs.

versus

**UNION OF INDIA AND ORS**

.....Respondents

Through: Adv. (appearance not given)

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MS. JUSTICE SHALINDER KAUR**

**NAVIN CHAWLA, J. (Oral)**

**CM APPL. 2073/2025**

1. Allowed, subject to all just exceptions.

**W.P.(C) 405/2025 & CM APPL. 2072/2025**

2. This petition has been filed by the petitioner, challenging the Review Medical Examination dated 26.11.2024, declaring the petitioner unfit (on account of weight more than 5 kg of upper limit of 72 kg & tattoo over right forearm size 6 cm x 1.5 cm, saluting limb) for appointment to the post of Non-Gazetted, Group C, Constable (Driver) in Central Reserve Police Force (CRPF) Constable (Technical and Tradesman) Recruitment Examination, 2023 under the SC category.



3. The petitioner has applied for the said post pursuant to the Notice dated 24.11.2023 issued by the respondents. Clause 18 of the said advertisement reads as under:

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

4. Admittedly, the petitioner has not appeared for the Computer Based Examination in Delhi. His Physical Standard Test (“PST”) was also not conducted in Delhi.

5. This Court, on an objection of the respondents for lack of territorial jurisdiction for adjudicating a petition raising a similar issue, in its final Order/Judgment dated 25.07.2024 passed in W.P.(C) 8480/2024, titled ***Uttam Kumar v. Union of India Through Its Secretary and Others***, has held as under:

*“8. Having considered the submissions of learned counsel for the parties and perused the record, we are of the considered view that once the advertisement pursuant to which the petitioner had applied contained a specific clause providing for territorial jurisdiction of the Court/Tribunal situated in the area where the test was held.*

*9. The petitioner cannot now be permitted to argue that the clauses mentioned in the advertisement are not binding on him. We are, therefore, of the opinion that this Court does not have territorial jurisdiction to entertain the present writ petition. The writ petition is, accordingly, disposed of, by granting liberty to the petitioner to approach the Court having territorial jurisdiction.”*



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6. Being bound by the above Judgment, we dispose of the present petition, reserving the liberty of the petitioner to approach the Court of competent jurisdiction.

7. The pending application is also disposed of.

**NAVIN CHAWLA, J**

**SHALINDER KAUR, J**

**JANUARY 14, 2025/ab/sk/DG**

*[Click here to check corrigendum, if any](#)*