



2024:DHC:9264-DB



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

Date of decision: 28.11.2024

+ W.P.(C) 16433/2024

ROBIN KUMAR

.....Petitioner

Through: Mr. Ratnesh Tiwari, Adv.

versus

CENTRAL RESERVE POLICE FORCE AND ANOTHER

.....Respondents

Through: Mr. Mimansak Bhardwaj, SPC
with Ms. Vidya Mishra and Mr.
Aakash Meena, Advs. and Mr.
Shiv Kumar Singh, Inspector,
CRPF.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 69385/2024

1. Allowed, subject to just exceptions.

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2. This petition has been filed by the petitioner, challenging the Detailed Medical Report dated 12.07.2024, and the Review Medical Report dated 16.07.2024, declaring the petitioner unfit for appointment in the Physical Standard Test (in short, 'PST') for the selection process for the post of the Constable in the Central Reserve



Police Force (in short, 'CRPF'), Armed Police Forces (CAPFs), Secretariat Security Force (SSF), and Rifleman (GD) in Assam Rifles Examination- 2024 due to presence of 'Tattoo on right hand'.

3. The petitioner has applied for the said post pursuant to the Notice dated 24.11.2023 issued by the respondents for the appointment to the above posts. 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 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 Order 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,



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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.”

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. All pending applications are also disposed of.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 28, 2024/ss/sk/DG

Click here to check corrigendum, if any