



2026:DHC:4112-DB



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 6018/2026, CM APPL. 29679/2026, CM APPL.  
29680/2026 & CM APPL. 29681/2026

UNION OF INDIA & ORS. ....Petitioners  
Through: Mr. Vijay Joshi, CGSC.

versus

SEEMA CHOUDHARY .....Respondent  
Through: Mr. Aditya Chhibber, Adv.

**CORAM:**  
**HON'BLE MR. JUSTICE C. HARI SHANKAR**  
**HON'BLE MR. JUSTICE OM PRAKASH SHUKLA**

**JUDGMENT(ORAL)**

% **04.05.2026**

**C.HARI SHANKAR, J.**

1. Following her participation in the Central Police Organization Examination held by the Staff Selection Commission in 2018, the respondent was informed, by letter dated 10 August 2021, issued by the Deputy Commissioner of Police (Recruitment)<sup>1</sup> that she had been selected as Sub-Inspector<sup>2</sup> (Executive) (Female) in the Delhi Police.

2. She was directed to report at the Recruitment Cell on 19 August 2021 along with relevant documents to collect her offer of appointment and was further directed to report to the Delhi Police Academy on any day between 1 October 2021 and 10 October 2021 for training.

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<sup>1</sup> "DCP", hereinafter

<sup>2</sup> "SI", hereinafter



3. The respondent, however, addressed a communication dated 4 October 2021 to the DCP, stating that she was suffering from severe lower back pain and had been advised rest at least till 14 October 2021. She, therefore, prayed for extension of time by 20 days from 30 October 2021 to join as SI (Executive) (Female).

4. The Assistant Commissioner of Police (Recruitment Cell) wrote to the respondent on 3 November 2021, stating that she was allowed to join training with the next batch.

5. Thereafter, till August 2022, there was no communication from the petitioners to the respondent. On 16 August 2022, the DCP issued a fresh offer of appointment to the respondent, appointing her as SI (Executive) (Female). She was directed to report for training on 15 November 2022.

6. As ill luck would have it, however, the respondent was, this time, suffering from hepatitis. She therefore addressed an email to the petitioners on 12 November 2022, with supporting medical documents, praying for extension of time till 5 December 2022 to join training.

7. This request was rejected by the Recruitment Cell of Delhi Police *vide* e-mail dated 21 November 2022, requiring the respondent to join training with effect from 25 November 2022, failing which it was stated that her candidature would be cancelled.

8. The respondent, *vide* e-mail dated 13 December 2022, prayed



for some further time and enclosed a medical certificate recommending absence from duty for a period of 14 to 15 days with effect from 12 December 2022.

**9.** On 5 January 2023, the DCP wrote to the respondent, requiring her to show cause as to why her candidature be not cancelled as she had failed to report for training by 13 December 2022, which was the last date by which she had to report.

**10.** The respondent replied to the show cause notice on 23 January 2023, stating that her inability to report for training was owing to a genuine medical condition. She also submitted that she had no other job opportunity available with her and prayed, in these circumstances, that her candidature be not cancelled.

**11.** This representation did not meet with a favourable consideration by the petitioners. By order dated 27 March 2023, the respondent's candidature was cancelled.

**12.** Aggrieved thereby, the respondent approached the Central Administrative Tribunal<sup>3</sup> by way of OA 2472/2024.

**13.** The Tribunal, by judgment dated 7 November 2025, has held that the inability of the respondent to join training was owing to a genuine medical condition and, in these circumstances, has directed the petitioners to allow her to join training with the next batch.

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<sup>3</sup> "the Tribunal", hereinafter



- 14.** This judgment has been assailed before us by the Delhi Police.
- 15.** We have heard Mr. Vijay Joshi, learned Counsel for the petitioners and Mr. Aditya Chhibber, learned Counsel for the respondent.
- 16.** Mr. Joshi submits that the original offer of appointment issued to the respondent was of 19 August 2021 and that, having failed to report for training till 13 December 2022, the respondent could not possibly seek any latitude or leniency. He submits that the respondent was repeatedly asking for extension of time, which was without any justification and that, therefore, the Tribunal could not have shown clemency in the matter and allowed her to join even after 13 December 2022.
- 17.** He also submits that the decision on the show cause notice issued to the respondent was taken after due application of mind and that no case for interference therewith, within the parameters of Article 226 of the Constitution of India was made out.
- 18.** As against this, Mr. Chhibber has drawn our attention to para 2 of the DOPT OM dated 9 August 1995, which reads as under:

“2. The Staff Side of the Departmental Council (JCM) of DOP&T have demanded that direct recruits may be allowed a maximum of three months for joining instead of nine months provided for in the OM under reference so as to avoid delay in preparation and issue of select/seniority list. The matter has been examined in consultation with the UPSC and it has been decided to reduce from nine months to six months the maximum time upto which an offer of appointment can be kept to open. In other words



an offer of appointment should clearly specify the period (which shall not normally exceed on or two months) after which the offer would lapse automatically if the candidate did not join within the specified period. If however within the specified period, a request is received from the candidate for extension of time, it may be considered by the Ministries/Depts. but extension beyond three months should not be granted liberally and it may be granted only as an exception where facts and circumstances so warrant and in any case only *upto a maximum of six months from the date of issue of the original ... offer of a appointment. An offer of appointment would lapse automatically after the expiry of six months from the date of issue of the original offer of appointment.*”

**19.** We have considered the submissions advanced before us, in the light of the record.

**20.** It is correct that selected candidates do not have any right to, *ad infinitum*, seek extension of time to join the post to which they are selected or even to join training, and that Court cannot, in such cases, sacrifice law at the altar of leniency.

**21.** However, we are inclined to show some latitude in the present case only because, after the first direction which had been issued to the respondent to report for duty on 19 August 2021, to which the respondent had sought extension on medical grounds, *the petitioners issued a fresh offer of appointment* to the respondent on 16 August 2022.

**22.** The clock, therefore, began ticking afresh.

**23.** After 16 August 2022, though time was granted by the petitioners to the respondent itself till 13 December 2022 to join duty, the respondent merely sought 14-15 days beyond that date, and



enclosed a medical certificate advising her rest with effect from 12 December 2022.

**24.** The petitioner has not, at any point of time, doubted the genuineness of the medical documents submitted by the respondent.

**25.** In these peculiar facts, we are of the opinion that the Tribunal cannot be faulted in allowing the respondent to join duty, as she was suffering from hepatitis, which, as is well-known, does not permit immediate joining of duty even after the condition is resolved.

**26.** Unfortunately, since that date, the matter has remained pending and has now come up in May 2026 before us. During the course of litigation, four years have elapsed.

**27.** Mr. Chhibber, on instructions, submits that his client has not joined any other post in the interregnum and that, if she is permitted to join, she would join within a period of two weeks from today.

**28.** Accordingly, we dispose of this writ petition, declining to interfere with the order of the Tribunal in the peculiar facts of this case, but granting the respondent only two weeks and no more to join training with the next batch, subject to medical fitness and fulfilment of other requisite conditions.

**29.** We make it clear that the respondent would not be permitted to seek any extension of time on any ground whatsoever and any such request would result *ipso facto* result in renewing the cancellation of



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her candidature.

**30.** The writ petition is disposed of in the aforesaid terms.

**31.** We reiterate that we have passed this order keeping in mind the peculiar facts of this case, especially the fact that the respondent had been offered a fresh offer of appointment on 16 August 2022 and that the period of her rest was expiring 14-15 days from 12 December 2022.

**C.HARI SHANKAR, J**

**OM PRAKASH SHUKLA, J**

**MAY 4, 2026/gunn**