



2025:DHC:6959-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 12310/2025, CM APPLs. 50149/2025 & 50150/2025
MANISHA BHATIPetitioner

Through: Mr. Ashwini Kumar, Adv.

versus

UNION OF INDIARespondent
Through: Mr. Ranvir Singh, SPC with
Mr. Aakash Kumar Singh GP.
Mr. Ajaypal, AC Law CRPF, Inspector
Athurv, CRPF, Mr. Ramniwas Yadav, CRPF

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

JUDGMENT (ORAL)
14.08.2025

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C. HARI SHANKAR, J

1. The petitioner claims to be a national level champion in the sport of Wushu, and is aggrieved by her rejection for the post of Head Constable/General Duty in the Central Reserve Police Force¹ in which her candidature has been considered in the under 56 kg category.

2. Her case is that she is entitled to be considered in the under 52 kg category.



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3. The petitioner applied for recruitment as HC/GD in the CRPF against the sports quota pursuant to an advertisement published in the Employment News of 29 October 2022. She claims that she was required to be considered in the under 52 kg category in which there was only one vacancy. According to the averments in the petition, her score was better than one Sweety Malik, who was the only other participating candidate in the under 52 kg category.

4. The result of the petitioner came to be declared on 10 May 2023 in the under 56 kg category and, in that category, she was selected.

5. The petitioner's selection was challenged before this Court by one Kareena Kaushik, also a candidate participating in the under 56 kg category, by way of WP (C) 7874/2023². The petitioner was Respondent 2 in the said writ petition.

6. By judgment dated 16 February 2024, a learned Single Judge of this Court has allowed WP (C) 7874/2023 and has quashed the selection of the petitioner as HC/GD.

7. Mr. Ashwini Kumar, learned Counsel for the petitioner has repeatedly stressed that he is not aggrieved by the said decision. In any event, it has not been challenged, and has attained finality.

8. Paragraph 17 of the said judgement reads thus:

¹ "CRPF", hereinafter

² **Kareena Kaushik v UOI**



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“17. Respondent No.2 being 54 kg should not have been allowed to contest in under 52 kg category. She has been given a post which has been reserved for persons in the under 56 kg category. Even if Respondent No. 2 had participated in the under 52 kg category to which she was not entitled, it was always open for the Respondents to select the candidates in the under 52 kg category especially when one post was available for that weight category. The Respondents could not have evaluated the Petitioner and Respondent No.2 in the same category despite they being in separate categories which is not permissible.”

(Emphasis supplied)

9. Thus, there is a categorical finding by this Court, in its judgment in WP (C) 7874/2023 that, as the petitioner was 54 Kg in weight, she could not have been considered for recruitment as HC/GD in the under 52 Kg category and that she ought to have been considered in the under 56 Kg category.

10. Following this observation, this Court has, in paragraph 20, allowed the writ petition in the following terms:

“20. In view of the admitted facts that Respondent No.2 was weighing 54 kg and has participated in the under 52 kg category and she had been evaluated with candidates who were participating in the under 56 kg category, the writ petition stands allowed. The impugned notice dated 10.05.2023, insofar as it holds Respondent No.2 eligible to the appointment against one post reserved for female candidates in the sport of Wushu is set aside. The Respondents are directed to re-conduct the selection process.”

11. Thus, in paragraph 20, the Court has again reiterated that the very consideration of the petitioner in the under 52 kg category was erroneous, as she was 54 kg in weight. It is primarily on this ground that her selection was quashed and the selection directed to be



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conducted afresh.

12. It goes without saying that a participant who was 54 kg in weight could not have been considered in the under 52 kg category, and had to be considered in the under 56 kg category.

13. Following this, it is not in dispute that the selection was again conducted, and the case of the petitioner was evaluated in the under 56 kg category. In that category, the petitioner was considered on 25 August 2025. As the petitioner could not make the grade in the under 56 kg category, her candidature has been terminated by the respondents by order dated 4 August 2025.

14. Aggrieved thereby, the petitioner has instituted the present writ petition before this Court.

15. We have heard Mr. Ashwini Kumar, learned Counsel for the petitioner at length.

16. Mr. Ashwini Kumar's sole contention is that the petitioner was wrongly considered in the under 56 kg category and that she should have been considered in the under 52 kg category. He emphasises the fact that the petitioner participated in various professional events in the under 52 kg category, including the 32nd Senior National Wushu Championship in Maharashtra in 2023, the 34th Senior National Wushu Championship in Jaipur, Rajasthan in 2025, the 37th National Games in Goa and the 38th National Games in Uttarakhand, in all of



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which she earned laurels for the country. He has also referred to certain documents which, according to him, indicate that the respondents have been treating the petitioner as a candidate who is in the under 52 kg category.

17. While we commend the professional acumen of the petitioner, and hope that she soars greater heights, we regret that it is not possible for us, in the face of the judgment dated 16 February 2024 in WP (C) 7874/2023, passed by a learned Single Judge of this Court and which has never been challenged and with which as per Mr. Ashwini Kumar's contention, the petitioner is not aggrieved, to grant any relief to her.

18. In that case, the very basis for setting aside the selection of the petitioner was that she had wrongly been considered in the under 52 kg category and that, as she was 54 kg in weight, she should have been considered in the under 56 kg category.

19. Though Mr. Ashwini Kumar has sought to submit that the material placed before the learned Single Judge in that case could not have been the basis for determining the petitioner's weight and that the weight of a candidate may fluctuate, these may have been contentions open to the petitioner had she chosen to challenge the judgment dated 16 February 2024. She has not chosen to do so; ergo, the judgment is now final and binding against the petitioner.

20. In accordance with the observations contained in the said



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judgment and the directions finally issued, the petitioner has been considered in the under 56 kg category and has not been able to make the grade in that category.

21. As there is, therefore, no error in the manner in which the respondents have acted in the present case, the petition is devoid of merits and is accordingly dismissed.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

AUGUST 14, 2025/ng