



2025:DHC:1061-DB



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

+ W.P.(C) 13616/2024 & CM APPL. 4587/2025

STAFF SELECTION COMMISSION
AND ORS

.....Petitioners

Through: Mr. Himanshu Pathak, Sr. PC
with Mr. Amit Singh, Adv.

versus

SHASHIKANT KUMAR

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

17.02.2025

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C. HARI SHANKAR, J.

CM APPL. 4587/2025

1. This application seeks modification of following order dated 27 September 2024, passed by this Court in the present proceedings:

“1. Learned Counsel for the petitioner submits that the impugned order dated 22 April 2024 passed by the learned Central Administrative Tribunal¹ in OA 635/2024 already stands implemented and that, therefore the cause of action in this petition does not survive.

2. The petition is accordingly disposed of.”



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2. Mr. Himanshu Pathak, learned Senior Panel Counsel for the petitioners, submits that the aforesaid order was passed because of a lack of communication between the petitioners and the respondent.
3. Accordingly, the application is allowed, the order is withdrawn.
4. Mr. Pathak acknowledges that this case may be disposed of in the light of similar orders passed by this Court involving the presence or absence of a tattoo on the forearm of the candidate.
5. Accordingly, following the order passed in one of several matters in which the Central Administrative Tribunal has directed the candidate, who aspired to be recruited as Constable in the Delhi Police, to be examined by a dermatologist to ascertain whether he has a tattoo on his forearm.
6. Given the innocuous nature of the direction, we have, in several similar cases², declined to interfere, noting that the Tribunal has merely directed the respondent to be examined by a dermatologist, who would assess the respondent's functional fitness for appointment to the post of Constable in the Delhi Police in the light of Clause 13.2 of the advertisement for recruitment to the post of Constable (Executive) male and female in the Delhi Police Examination 2023. Clause 13.2 does not allow an aspirant to the post of Constable to possess any tattoo on her, or his, right forearm.

¹ "the Tribunal" hereinafter

² SSC v Priti Bhati (2024 SCC Online Del 6735), SCC v Viraj Singh (2024 SCC Online Del 6763) and



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7. While, therefore, declining to interfere with the impugned order passed by the Tribunal, we deem it appropriate to direct the dermatologist, who would examine the respondent in terms of the impugned order of the learned Tribunal, to also keep in mind the observations contained in the judgment of this Court in *Staff Selection Commission v Deepak Yadav*³.

8. Accordingly, the writ petition is disposed of.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

FEBRUARY 17, 2025/aky

Click here to check corrigendum, if any

several other similar cases.

³ 2024 SCC OnLine Del 5162