



2025:DHC:538-DB



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

+ W.P.(C) 1118/2025, CM APPLs. 5555/2025 & 5556/2025

STAFF SELECTION COMMISSION & ANR.Petitioners

Through: Mr. Premtosh Kumar Mishra,
CGSC with Mr. Manish Vashist and Ms.
Sanya Kalsi, Advs.

versus

POOJA CHOUDHARYRespondent

Through: Ms. Esha Mazumdar, Adv. with
Mr. Setu Niket and Ms. Unnimaya, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

29.01.2025

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C. HARI SHANKAR, J.

1. In this case, the respondent was applied for recruitment as Constable (Executive) in the Delhi Police. In the Detailed Medical Examination which was conducted on 21 January 2024, she was disqualified as suffering from Anemia as her hemoglobin count was 8.0. The matter was not referred to any expert.

2. A Review Medical Examination was conducted on 25 January 2024, when her hemoglobin count had risen to 8.1.

3. Ms. Esha Mazumdar, learned Counsel for the respondent submits that, in these circumstances, no case for interference with the



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decision of the Tribunal to refer the matter for a fresh medical examination was made out especially in the light of the view taken by us in *SCC v Sanjoo Patel*¹ which was one of the writ petitions disposed of along with *WP (C) 14088/2024 (SCC v Amit Goswami*²).

4. It is pointed out that the view taken by us in *Sanjoo Patel* has thereafter been relied on by a Coordinate Bench in *UOI v Alka*³.

5. In that view of the matter, we do not find any case for interference with the decision of the Tribunal to refer the case of the respondent for a fresh medical examination the similar facts and circumstances of the present case, and in the light of the ailment from which the respondent is stated to be suffering. However, we make it clear that the respondent would be bound by the result of the fresh medical examination and would not be entitled to any further bites at the cherry.

6. The petition is disposed of in the aforesaid terms.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

JANUARY 29, 2025/aky

Click here to check corrigendum, if any

¹ WP (C) 13998/2024

² 2024 SCC OnLine Del 7985

³ 2024 SCC OnLine Del 8406