



2025:DHC:5994-DB



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

Date of decision: 24.07.2025

+ W.P.(C) 1932/2025
STAFF SELECTION COMMISSION & ANR.Petitioners
Through: Ms.Saumya Tandon, CGSC
with Mr.Gaurav Singh Sengar,
Adv.

versus

GAJENDRA SINGH DANGIRespondent
Through: Mr.Arup Sinha, Mr.Uday
Arora, Ms.Arham Tanvir,
Mr.Shivam Srivastava,
Mr.Dhairaya Verenkar and
Ms.Kanika Daila, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

CM APPL. 44342/2025

1. This application has been filed seeking vacation of the stay granted by this Court *vide* its Order dated 14.02.2025.
2. With the consent of the learned counsels for the parties, the petition itself is being taken up for final hearing today.
3. The next date of hearing, that is, 05.08.2025, stands cancelled.
4. The application is disposed of.

W.P.(C) 1932/2025

5. This petition has been filed by the petitioners, challenging the



Order dated 20.08.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, 'Tribunal') in O.A. No.3235/2024, titled ***Gajendra Singh Dangi v. Staff Selection Commission (Hdqrs.) Through its Chairman & Anr.***, whereby the learned Tribunal allowed the O.A. filed by the respondent herein, with the following directions:

“6. In view of the decision taken by this Tribunal in various OAs, we cannot take a divergent view in the present matter. Accordingly, the OA is also disposed of with a direction to the competent authority/respondent to conduct a fresh medical examination of the applicant by way of constituting an appropriate medical board in any government hospital except the hospital which has already conducted the initial and the review medical examination. Appropriate orders with respect to the candidature of the applicant on the basis of the outcome of such an independent/fresh medical examination be passed thereafter under intimation to the applicant.

7. The aforesaid directions shall be complied with within a period of twelve weeks from the date of receipt of a certified copy of this order. In the event the applicant is being declared medically fit, subject to his meeting other criteria, he shall be given appointment forthwith. The applicant, in such an eventuality, shall also be entitled to grant of all consequential benefits, however, strictly on notional basis. No costs.”

6. Briefly stated, the respondent had applied for appointment to the post of Constable (Executive) in the Delhi Police, pursuant to the advertisement issued on 01.09.2023 by the petitioners for the post of Constable (Executive) (Male & Female) in the Delhi Police



Examination-2023.

7. Having cleared the various stages of the selection process, the respondent appeared for the Detailed Medical Examination (in short, 'DME'), wherein he was declared 'unfit' for appointment with the following remarks:

“ 1. Hypertension.
2. Flat Foot.”

8. Aggrieved by the above report, the respondent applied for a Review Medical Examination (in short, 'RME'), which again declared the respondent 'unfit' for appointment, however, only on account of “*Hypertension*”.

9. The respondent, thereafter, got himself examined at a Government Hospital, where he was declared 'fit'. Armed with the said report, he approached the learned Tribunal.

10. The learned Tribunal allowed the said O.A. and directed the petitioners to conduct a fresh medical examination of the respondent by constituting an appropriate medical board at a government hospital.

11. The learned counsel for the petitioners submits that the learned Tribunal failed to appreciate that both the DME as well as the RME had found the respondent to be suffering from Hypertension. She submits that, therefore, the respondent was rightfully declared 'unfit' for appointment to the post of Constable (Executive)–Male. She submits that the concurrent findings of the Medical Boards should not have been interfered with by the learned Tribunal.

12. On the other hand, the learned counsel for the respondent submits that before declaring the respondent 'unfit' for appointment



on the ground of Hypertension, the petitioners failed to follow their own Standing Order and the prescribed procedure, which required the respondent to be admitted to a hospital, and his blood pressure to be monitored at regular intervals.

13. We have considered the submissions made by the learned counsels for the parties.

14. In *Staff Selection Commission & Anr. v. Vijay Kumar*, 2025:DHC:2248-DB, this Court has held that where a candidate is found to be suffering from Hypertension, the proper procedure is to admit the candidate to a hospital and monitor the blood pressure readings at regular intervals, as it is not uncommon for a candidate to suffer from White Coat syndrome or anxiety during the medical examination. It was held that if this procedure is not followed, the reports of the DME/RME cannot be relied upon.

15. In the present case, neither the DME nor the RME followed the above procedure. Therefore, the reports of the DME and the RME cannot be sustained.

16. In view of the above, we find no merit in the present petition. The same is, accordingly, dismissed. The pending application is also disposed of as having been rendered infructuous.

NAVIN CHAWLA, J

MADHU JAIN, J

JULY 24, 2025/sg/DG