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

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Date of Decision : 19.03.2026

+ **W.P.(C) 3494/2026**

BICKY KUMAR MAHATO

.....Petitioner

Through: Mr. Mandeep Baisala, Mr. Dhananjay Singh, Mr. Kavesh Bidhuri, Mr. Sourabh Soni, Mr. Atal Singh, Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Ms. Bhavya Tyagi, SPC & Ms. Disha Choudhary, GP (UOI), alongwith Mr. Athurv, Inspector.
Mr Vinod Sawant Law Officer, Mr Ramniwas Yadav, CRPF

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

V. KAMESWAR RAO, J. (ORAL)

1. This petition has been filed by the petitioner with the following prayers:-

- “i. Issue a writ of Certiorari or any other appropriate writ, order or direction quashing the impugned Review Medical Examination Report dated 28.11.2025 issued by Respondent No. 2, whereby the Petitioner has been declared medically unfit for appointment to the post of Constable (GD) in the Central Armed Police Forces;*
- ii. Issue further directions to Respondent Nos.1 and 2 to conduct a fresh and fair medical re-examination of the*



Petitioner, taking into consideration the medical report dated 20.01.2026 issued by AIIMS, Deoghar;
iii. Pass any such other or further order(s) in favour of the Petitioner as deemed fit in the given facts and circumstances and in the interest of justice.”

2. Suffice to state that the challenge in this case is to the conclusion drawn by the Review Medical Examination Board (RMEB), which found the petitioner to be unfit for recruitment to the post of Constable (GD) with Central Armed Police Force (CAPF).

3. On a pointed query to the learned counsel for the petitioner as to whether this petition is maintainable when the petitioner is resident of West Bengal and the subject matter of the challenge is in respect of the RMEB report, which was undertaken at Durgapur, West Bengal, the learned counsel for the petitioner has relied upon the judgment of this Court in the case of ***Davender Kumar v. Union of India & Others, 2018:DHC:1227-DB*** to contend that since the Head Office of the respondent is situated in Delhi, this Court will have the jurisdiction.

4. On identical issue, this Court in the case of ***Anand Kumar v. Union of India & Others, 2025:DHC:206-DB*** has held as under:-

“4. Apart from the fact that the Impugned Order dismissing the petitioner from service has not been issued at Delhi, it is trite law that “cause of action” means a bundle of facts which is necessary for the petitioner to prove in order to succeed in the proceedings. It does not completely depend upon a character of the relief prayed for by the petitioner. A small part of the cause of action arising within the territorial jurisdiction of a High Court may not be considered as a determinative factor compelling the High Court to decide the matter on its own merits. In such a case, the doctrine of forum non conveniens shall apply.”



5. We are unable to accept such a plea of the learned counsel for the petitioner for the simple reason that bundle of facts which need to be determined while considering to grant the prayers as made by the petitioner is only in respect of the report of RMBE. Concedingly, the report was drawn at Durgapur, West Bengal.

6. In the facts of the case, we state that no cause of action has arisen for petitioner to approach this Court. Liberty shall be with the petitioner to approach the Court having the jurisdiction. The petition is closed.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

MARCH 19, 2026

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