

(2025) 01 DEL CK 1654

In the Delhi High Court

Case No : Writ Petition (C) No. 17236 Of 2024, Civil Miscellaneous Application
No. 73333 Of 2024

Ms. Utkarsha Lal

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 10-01-2025

Acts Referred:

Citation : (2025) 01 DEL CK 1654

Hon'ble Judges : Navin Chawla, J; Ravinder Dudeja, J

Bench : Division Bench

Advocate : Dilip Singh, Vikram Aditya Singh, Sandeep Tyagi, Kapil Dev Yadav

Final Decision : Disposed Of

Judgement

Navin Chawla, J

1. This petition has been filed by the petitioner, inter alia, praying for a direction to respondents to allow her to participate in the Physical Endurance Test (PET)/ Physical Standard Test (PST) and to conduct the same in a time bound manner.

2. It is the case of the petitioner that pursuant to an Advertisement issued by the Staff Selection Commission ('SSC'), the petitioner had applied for the post of Sub-Inspector ('SI') in the Delhi Police and the Central Armed Police Forces ('CAPFs'). She received a call letter on 03.10.2024, asking her to report to the 25th Battalion ('Bn'), BSF, Chhawla, Delhi, on 17.10.2024 for the PET/PST.

3. Unfortunately, on 08.10.2024, she developed a sprain in her leg during the preparation for the physical test and sought medical advice. As she could not fully recover, she even went to the V.M.M.C. & Safdarjung Hospital, New Delhi on 17.10.2024, where she was advised to rest for five days. She, therefore, submitted a Letter dated 16.10.2024, requesting for an extension of time to appear for the PET/PST. This request was acceded to by the Commandant, 36 Bn., BSF, and the petitioner was directed to appear for the PET/PST on 30.10.2024. The petitioner, however, still could not recover from her injury, and

by a Letter dated 30.10.2024, requested the respondents for further extension of time to appear for the PET/PST. She also informed the respondents that she was undergoing treatment at the V.M.M.C. & Safdarjung Hospital, New Delhi, and submitted a Medical Opinion dated 30.10.2024, which recommended further test for the petitioner. The respondents, however, refused to grant such extensions, stating that there is no policy for granting an extension beyond the period for which the PET/PST has been scheduled. Aggrieved thereby, the petitioner filed the present petition.

4. This Court, by its Order dated 13.12.2024, directed the learned counsel for the respondents to seek instructions on whether the time for undergoing the PET/PST could be extended beyond the period as prescribed in the Selection process and whether such extensions had been granted in any other case.

5. The learned counsel for the respondents today has handed over a copy of the Affidavit dated 09.01.2025 inter alia stating that as per the available record, no extension for undertaking the PET/PST has been granted to any candidate beyond the scheduled date for the conclusion of the PET/PST at the respective recruitment centre.

6. The learned counsel for the respondents further submits, on instructions, that pursuant to the completion of the PET/PST, the list of eligible candidates has already been supplied to the SSC for further processing, and the Call Letters for the Paper-2 examination are also likely to be issued by the SSC in the near future.

7. The learned counsel for the petitioner, placing reliance on the Judgment of this Court in *Narmeta Manoj Kumar v. Union of India & Ors.*, NC 2024:DHC:8275-DB, submits that as the petitioner was unable to participate in the PET/PST due to reasons beyond her control, as an exception, a chance should be given to the petitioner to undertake the same. He submits that the PET/PST is neither a competitive exam nor merit based. The candidate is simply to satisfy the minimum requirements of the PET/PST standards as prescribed.

8. The learned counsel for the respondents does not dispute the submissions that the PET/PST is not a competitive test and the candidate is merely to satisfy the minimum prescribed standards for the same.

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

10. In the present case, the petitioner was unable to participate in the PET/PST due to circumstances beyond her control, as she suffered an injury prior to the date on which she had to appear for the PET/PST. She was undergoing treatment at the V.M.M.C & Safdarjung Hospital, New Delhi, and the documents in proof thereof have been filed by the petitioner with the petition.

11. As noted hereinabove, the PET/PST is not a competitive test, and the candidate is merely to satisfy the minimum requirements prescribed for the

same. The Call Letters for the next stage of examination, that is, Paper-2, are yet to be issued by the SSC.

12. In the peculiar facts of the present case, therefore, we direct the respondents to grant the petitioner one final opportunity to participate in the PET/PST within a period of two weeks from today. The respondents shall communicate the time, date, and place to the petitioner through her counsel to appear for the PET/PST, providing at least two days' advance notice. It is clarified that if, for any reason, the petitioner is unable to appear for the PET/PST on the scheduled date that is fixed by the respondents, the candidature of the petitioner shall be treated to be rejected. In case the petitioner does appear and qualify in the PET/PST, the respondents shall further process the application of the petitioner for appointment in accordance with the applicable Rules and the Notification.

13. With the above directions, the petition, along with pending application, is disposed of.

14. A copy of the order be given dasti under the signatures of the Court Master to the learned counsels for the parties.