

(2023) 05 DEL CK 0149

In the Delhi High Court

Case No : Civil Writ Petition No. 6930 Of 2023, Civil Miscellaneous Application
No. 26964 Of 2023

Sadiq Ansari

APPELLANT

Vs

Union Of India Through Its Secretary & Ors

RESPONDENT

Date of Decision : 22-05-2023

Acts Referred:

Citation : (2023) 05 DEL CK 0149

Hon'ble Judges : Suresh Kumar Kait, J; Neena Bansal Krishna, J

Bench : Division Bench

Advocate : Ashish Nischal, Arun Nischal, Rinku Shah, Anju Gupta, Amit Acharya

Final Decision : Disposed Of

Judgement

1. Vide the present petition, the petitioner is seeking following reliefs:

"a.) Quash and set aside the Impugned Rejection Order dated 04.05.2023;

b.) The Petitioner be referred to any Central Government Hospital for re-measurement of his height;

c.) In case, the petitioner is found meeting the requisite height, as prescribed under the said Examination, 2022, respondents be directed to call the petitioner for third and last part, with regard to documents verification."

2. The case of the petitioner is that the respondents have wrongly measured the height of the petitioner as 169.5 cms.

3. However, when the petitioner got himself examined in the All India Institute of Medical Science (AIIMS), the height of the petitioner measured as 171.5 cms. The Medical Certificate of the AIIMS is Annexure P-8 to the present petition.

4. Since, there is a dispute in regard to the height recorded by the respondents in Rejection Slip and in the Medical Certificate issued by the AIIMS which is Annexure P-8 to the present petition, in the interest of justice, we hereby direct

the Chief Medical Officer, Delhi High Court Dispensary to measure the height of the petitioner and send the report to the respondents within two weeks from today.

5. It is made clear that the report of the Chief Medical Officer, Delhi High Court Dispensary shall be final and binding on the parties.

6. We hereby make it clear that if the height of the petitioner is 170 cms, the respondents shall allow the petitioner to participate in further selection process.

7. Accordingly, the present petition along with pending application is disposed of.

8. Order dasti under the signature of Court Master.