

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 2018/1995

New Delhi this the 26th Day of October, 1995

Hon'ble Shri A.V. Haridasan, Vice Chairman (J)

Hon'ble Shri R.K. Ahooja, Member (A)

Ms. Rama Sharma,
D/o late Shri Jai Narayan Sharma,
Resident of 33, Kucha Mir Ashik,
Chawri Bazar,
Delhi-110 055.

Applicant

Sama Singh
(By Advocate: Shri Rama Sharma)

Vs

1. Commissioner of Police,,
Police Headquarters,
MSO Building,
I.P. Estate,
New Delhi-110 002.
2. Deputy Commissioner of Police Headquarters-I,
MSO Building,
I.P. Estate,
New Delhi-110 002.

O R D E R

Hon'ble Shri A.V. Haridasan, Vice Chairman (J)

The applicant offers herself as a candidate for selection to the post of ASI (Women) Executive pursuant to an advertisement appearing in the Employment News. Entertaining her application she was called upon to appear for a physical endurance test on 18.9.1995. It is alleged that owing to an injury sustained to her leg, the applicant was incapacitated ~~from~~ undergoing the physical endurance test on that date and therefore attaching a medical certificate issued by a doctor (Annexure E), she made a request for change of the date for physical endurance test. This request was turned down by order dated 9.10.1995. The written test in respect to those who qualified the physical

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endurance test is scheduled to take place on 29.10.1995. Aggrieved by the rejection of the request of the applicant for deferments of the physical endurance test in her case and understanding that she would not be allowed to participate in written test the applicant has filed this application praying for quashing the order dated 9.10.1995, and issue directions to the respondents to allow her one more chance for physical endurance test. Having gone through the application and the connected documents and after hearing the learned counsel of the applicant we are of the considered view that no *prima facie* case is made out for further adjudicating the case. The medical certificate produced by the applicant requesting the respondents to defer the physical endurance test in her case shows that the doctor has stated that the applicant was unfit to do active work (running and jumping) the post for which the applicant had applied for is of Assistant Sub Inspector which requires active work including (running and jumping). There is no indication in the medical certificate that incapacitated ~~on~~ of the applicant for active work running and jumping is temporary and was caused by any recent injury. The request made by the respondents must have been turned down on a perusal of this case. We are of the considered view that apparently there is no arbitrariness of non application of mind in taking such a decision. There is no allegation in the application that the request for deferment for physical endurance test is entertained in similar cases. Under

(3)

these circumstances finding nothing more to deliberate further, we find that this application does not merit ~~admission~~. Hence this application is rejected under Section 19(3) of the Administrative Tribunals Act.

R.K. Ahooja
(R.K. Ahooja)
Member (A)

A.V. Haridasan
(A.V. Haridasan)
Vice Chairman (J)

Mittal