

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. No./T.A. No.2398 of 1997 Decided on: 19.1.98

Prem Pal Singh Applicant(s)

(By Advocate: Mrs. Meera Chhibber)

VERSUS

L.G., Delhi & Ors. Respondents

(By Advocate: Shri Vijay Pandita)
CORAM

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

1. To be referred to the Reporter or not? YES
2. Whether to be circulated to other Benches of the Tribunal? NO

h. f. h.
(S.R. ADIGE)
VICE CHAIRMAN (A)

(9)

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 2398 of 1997

New Delhi, dated the 19th JANUARY 1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE Mrs. LAKSHMI SWAMINATHAN, MEMBER (J)

Prem Pal Singh,
S/o Shri Jai Ram Singh,
R/o Vill. Kanhara,
P.O. Bhonka, P.S. Ahmadgarh,
Bulandshahr (U.P.)
C/o 31 F, Police Colony,
Model Town-II,
Delhi-110009.

... APPLICANT

(By Advocate: Mrs. Meera Chhibber)

VERSUS

1. Union of India through
L.G., Delhi,
2. Commissioner of Police,
Police HQ, M.S.O. Building,
I.P. Estate,
New Delhi.
3. Dy. Commissioner of Police,
2nd BN., NPL Recruiting Cell,
Kingsway Camp,
Delhi. ... RESPONDENTS

(By Advocate: Shri Vijay Pandita)

J U D G M E N T

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant seeks a direction to appoint him as a constable, or alternatively to direct respondents for ^{his} ~~his~~ medical re-examination.

2. Applicant applied for the post of constable in Delhi Police. He was declared medically unfit vide letter dated 9.5.96 (Annexure R-1), and was informed that he could file an appeal against that finding within

30 days. Respondents contend that the said letter dated 9.5.96 was sent to him by registered post, and as the 30 days period has expired he cannot agitate the matter. Applicant avers that he never received it and only learnt through a friend on 1.4.97 that he had been declared medically unfit.

3. We have heard Mrs. Chhibber for applicant and Shri Pandita for respondents.

4. The career of a young man is involved, which, in the interest of justice, cannot be made dependent on the vagaries of the postal system.

5. The O.A. therefore succeeds and is allowed. Respondents are directed to treat applicant's representation dated 11.4.97 as an appeal; condone the delay if any in filing the same; and convene a medical board for re-examination of the applicant in accordance with rules within two months from the date of receipt of a copy of this order, under intimation to him, before whom he should present himself with such medical certificates as are there in his possession. No costs.

Lakshmi Swaminathan *Adige*
(Mrs. LAKSHMI SWAMINATHAN) (S.R. ADIGE)
Member (J) Vice Chairman (A)
/GK/