

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 2299/89
T.A. No.

198

DATE OF DECISION 20.11.1989.

Shri Rajinder Singh

Applicant (s)

In person

Advocate for the Applicant (s)

Versus
Chairman, Staff Selection
Commission, New Delhi. Respondent (s)

Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. P. Srinivasan, Member (A)

The Hon'ble Mr. T.S. Oberoi, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. To be circulated to all Benches of the Tribunal ?

JUDGEMENT

(delivered by Hon'ble Shri P. Srinivasan, Member).

The applicant heard in person.

This application has been listed before us for admission today. The applicant, who was a candidate for the post of Sub-Inspector in the Delhi Police, states that though in all other respects, he was found eligible, he was failed in the medical test on the ground that his vision fell below the required standard. He has made an application to the authorities for holding a fresh medical test as provided in the Government of India, Ministry of Health O.M. No. F.5(ii)-12-57-M-II (Pt. II) dated 17.12.1957 (see page 256 of Swamy's Compilation of FR - SR 8th Ed.). But he has not received any reply thereto. The applicant states that interviews for appointment as Sub-Inspector are being held today by the Staff Selection Commission and he has not been permitted to appear in the interview because of his

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failure in the medical examination. He submits that if he is not interviewed and other persons are selected, he may lose the opportunity of appointment even if he succeeds in the fresh medical examination, if held. He, therefore, prays that the respondent be directed to interview him provisionally subject to the outcome of the fresh medical examination as and when held. We see merit in his prayer. we, therefore, direct the respondent to admit the applicant to the interview being held today for the post of Sub-Inspector, subject to the result of fresh medical examination, if held.

2. We find no point in keeping this application pending since all that the applicant wants is that the respondent should quickly consider his application for fresh medical examination challenging the earlier one by which he was failed. He has not received any reply to his application. We consider it sufficient for disposing of the application to direct the respondent to consider the application of the applicant for re-medical examination and to pass orders thereon with as much expedition as possible and in any case, not later than one month from the date of receipt of this order. Depending on the result of the fresh medical examination as and when held, the respondent will take a decision as to whether the applicant is suitable for appointment or not on the basis of his overall performance in the selection.

3. The application is disposed of on the above terms at the admission stage itself.

A copy of this order may be given to the applicant immediately.

Oberoi 20.11.89
(T.S. Oberoi)
Member (J)

P. Srinivasan 20.11.89
(P. Srinivasan)
Member (A)