

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA 3388/2017

New Delhi this the 25th day of September, 2017

Hon'ble Mrs. Jasmine Ahmed, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)

Sumit Puniya, Age 26 years
S/o Shri Karam Singh
PO – Goela Kalan, District Panipat
Haryana-132104

... Applicant

(Through Shri Sachin Chauhan, Advocate)

Versus

1. Staff Selection Commission
Through its Chairman
Staff Selection Commission
Block No.12, CGO Complex,
Lodhi Road, New Delhi
2. The Director General
Central Industrial Security Force,
Block No.13, CGO Complex
Lodhi Road, New Delhi
3. The Inspector General (Pers)
Directorate General, CISF
(Recruitment Branch)
Block No.13, CGO Complex
Lodhi Road, New Delhi-110003
4. The Director General
Shashastra Seema Bal,
Govt. of India
Ministry of Home Affairs
Force Head Quarters,
East Block-V, RK Puram
New Delhi-110066
5. The Director General,
Border Security Force,
Block No.10, CGO Complex,
Lodhi Road, New Delhi
6. The Chief Medical Officer (SG)
SHQ, JSMR (S) BSF

Jodhpur through DIG, BSF,
Block No.10, CGO Complex,
New Delhi

... Respondents

(Through Shri G.S. Virk, Advocate)

ORDER (ORAL)

Mrs. Jasmine Ahmed, Member (J)

It is the contention of the learned counsel for the applicant that the applicant applied for selection in pursuance of the selection process initiated by the Staff Selection Commission (SSC) regarding Delhi Police, CAPFs and ASI in CISF Examination 2016. The applicant applied under SC category and was allotted roll number 2201118191. He appeared in Tier-I written test and thereafter was subjected to Physical Endurance Test held on 13.09.2016. He was declared successful. The applicant thereafter appeared in Tier-II written test held on 18.12.2016 and was declared provisionally qualified for medical examination. He was subjected to medical examination at Jodhpur (Rajasthan). Vide report dated 21.04.2017, the applicant was declared medically unfit on the ground "Tattoo on R+ forearm." He filed an appeal for re-medical examination by annexing medical fitness certificate within the prescribed period but as he was not called for re-medical, he contacted the authorities on 4.07.2017 and came to know that he had not annexed the Form - 2 along with the appeal. It was also contended by the learned counsel for the applicant that immediately the applicant made a representation to the authorities annexing Form-2 and requested them to consider him for re-medical examination.

2. The respondents in response to applicant's representation dated 4.07.2017, rejected his request for re-medical examination vide order dated 2.08.2017 on the ground that he did not annex Form-2 along with the appeal. Learned counsel for the applicant stated that after coming to know his inadvertent fault of not annexing Form-2, the applicant immediately submitted Form - 2 before the prescribed time limit. Learned counsel stated that respondents should consider his appeal sympathetically for re-medical. In this regard, he stated that he will be happy and satisfied if the respondents are directed to decide his prayer for re-medical as he has already admitted his mistake and resubmitted Form-2 within time. He also stated that if the applicant's re-medical is not conducted, he will suffer irreparable loss and injuries.

3. We have heard the learned counsel for the parties and perused the record.

4. As the applicant has already submitted Form-2 to the respondents with his appeal for re-medical within time, the respondents are directed to consider his case and pass a detailed, reasoned and speaking order within one month from the date of receipt of a certified copy of this order. However, they are directed not to reject this representation on the ground of subsequent submission of Form-2. With this direction, the

OA is disposed of at the admission stage without expressing any opinion on the merits of the matter.

(Uday Kumar Varma)
Member (A)

(Jasmine Ahmed)
Member (J)

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