

**Central Administrative Tribunal  
Principal Bench, New Delhi.**

**OA-3152/2016**

**New Delhi this the 31<sup>st</sup> day of July, 2017**

**Hon'ble Sh. Shekhar Agarwal, Member (A)  
Hon'ble Sh. Raj Vir Sharma, Member (J)**

Mr. Sukesh Kumar (Unemployed),  
Aged about 24 years,  
S/o Sh. Satender Singh,  
R/o VPO Dharoli,  
Tehsil and District Jhajjar,  
Haryana-124109. ....

Applicant

(By Advocate: Ms. Shreya S. Dabas, Amish Dabas)

Vs

1. Delhi Subordinate Services Selection Board,  
Government of NCT of Delhi,  
FC-18, Institutional Area,  
Karkardooma, Delhi-110092.
2. Government of National Capital Territory of Delhi,  
Through Chief Secretary,  
A-Wing, 5<sup>th</sup> Floor,  
Delhi Secretariat,  
New Delhi-1100113.
3. Transport Department Government of NCT of Delhi,  
5/9 Under Hill Road,  
Delhi-110054. ....

... Respondents

(through Ms. Sangeeta Tomar)

**ORDER (ORAL)**

**Mr. Shekhar Agarwal, Member (A)**

The applicant was a candidate for the post of Head Constable (Male), Post Code-43/13 in the Transport Department. He cleared the written examination but was rejected in height measurement. He has approached this Tribunal by this OA seeking the following reliefs:

"i. Quash and set aside the Rejection Notice No. 524 dated 01.08.2016 and Final Notice No. 523 dated 01.08.2016 declared by the Respondent No. 1 for the post of Head Constable Male (Post Code 43/13), Transport Department;

ii. issue an appropriate order or direction thereby directing the Respondent No. 1 to rectify the height of the Applicant to 171 cm consequently declaring the Applicant as a successful candidate for the post in question;

iii. issue an appropriate order or direction thereby directing the Respondents to include the name of the Applicant in the list of candidates, which have been provisionally selected and recommended for appointment to the said post vide Final Result Notice No. 523 dated 01.08.2016;

iv. pass an appropriate order thereby directing that the final selection and appointment of the candidates for the aforesaid post shall be subject to the outcome of the present application;

v. issue any other appropriate order or direction as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case."

2. On 14.07.2017, we had directed the respondents to apprise this Tribunal as to what action has been taken in cases where there was discrepancy in height measurement. Today, learned counsel for the respondents, on instructions, submitted that in such cases, the matter was referred to a Medical Board constituted under RML Hospital and directions were given to the respondents to get re-medical examination of the candidate conducted by this Board.

3. Accordingly, we direct that a Medical Board be constituted in RML Hospital and the applicant's height may be measured again. In case he succeeds, then his candidature shall be processed further and he shall be so appointed if he is otherwise eligible. On being appointed, he is also entitled to get consequential benefits of pay fixation and seniority. The aforesaid benefits may be granted to him within four weeks. No costs.

**(Raj Vir Sharma)**  
**Member (J)**

**(Shekhar Agarwal)**  
**Member (A)**

/ns/