



2026:AHC:52997

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1758 of 2026

Pramod Kumar

.....Petitioner(s)

Versus

Union Of India And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Man Bahadur Singh
Counsel for Respondent(s)	:	Vivek Kumar Singh, A.S.G.I.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Rejoinder affidavit filed today is taken on record.
2. Heard Sri Man Bahadur Singh, learned counsel for the petitioner and Sri Vivek Kumar Singh, learned counsel for the respondents.
3. The counsel for the rival parties have made a joint statement that they do not propose to file any further affidavits thus with the consent of the parties, writ petition is being decided at the fresh stage.
4. The case of the writ petitioner is that an advertisement/ notification came to be published by the Staff Selection Commission, New Delhi for recruitment on the post of Constable (GD) in the Central Armed Police Forces (CAPFs) and SSF, Rifelman (G.D.) in Assam Rifles and Sipoy in Narcotics Control Bureau Examination-2025. As per the advertisement, the recruitment process comprises of Computer Based Examination, Physical Standard Test (PST), Physical Efficiency Test, Document Verification and Medical Examination. The writ petitioner claims himself to be fully eligible and qualified in all respects submitted an online applicaion form for recruitment on the said post and E-Admission Card was was issued for computer based examination scheduled to be held on 21.02.2025 (Shift-II) from 12:00 PM to 01:00 PM at the Examination Center 8992 ION - Digital Zone IDZ to Duhai, R.D. Engineering College, Duhai Road, Ghaziabad. The petitioner claims to have been declared qualified and successful in computer based examination and an E-Admit Card was issued for physical standard test/physical efficiency test which scheduled to be held on 27.08.2025 at CISF Unit - SSG Greater Noida, District Gautam Buddh Nagar. The

petitioner claims to have appeared for Physical Standard Test (PST) and Physical Efficient Test (PET) for constable G.D. in CAPF and he was declared qualified. Thereafter being successful in the Computer based Examination, PST and PET, an admit card was issued in favour of the petitioner to appear for document verification and Detailed Medical Examination on 21.11.2025 and the petitioner appeared on the said venue. However, on 24.11.2025, the Detailed Medical Examination stood conducted in which the writ petitioner was declared unfit on the ground that he was suffering from "vitiligo patch over back/right leg/left axilla (Arm Pit)". However the petitioner was thereafter informed to appear for Review Medical Examination RME, which was to be conducted on 25.11.2025, the petitioner appeared before the review medical examination and a report came to be published on 26.11.2025 whereby the writ petitioner was again declared unfit on account of aforesaid deformity. As per the writ petitioner, he subjected himself before Sardar Vallabh Bhai Patel, Hospital associated to LLRM Medical College, Meerut and claims that the said deformity is not there. Based upon the said report, showing him to be a fit for the assignment in question, the present writ petition came to be preferred, questioning the Detailed Medical Report and Review Medical Examination Report.

5. This Court entertained the writ petition on 10.02.2026 seeking instructions.

6. Counter affidavit came to be filed by the respondents sworn by DIGP, Group Centre, CRPF, Prayagraj Uttar Pradesh, dated 27.02.2026, to which a rejoinder affidavit has been filed.

7. Learned counsel for the writ petitioner has submitted that the report of the Detailed Medical Examination and Review Medical Examination cannot be said to be accurate so as to dislodge the claim of the writ petitioner. Particularly, when there happens to be a report in favour of the writ petitioner so obtained by him from the Sardar Vallabh Bhai Patel Hospital associated to LLRM Medical College, Meerut and also Department of Pathology, LLRM Medical College. Submission is that once there are different reports, one holding the petitioner to be unsuitable and the other suitable then in order to derive a final and a definite conclusion, the matter needs to be again re-examined by a Review Medical Board in that regard. Contention is that there happens to be an office memorandum issued by the

Government of India, Ministry of Home Affairs (Police-II Division) dated 31.05.2021 providing for Revised Uniform Guidelines for Review Medical Examination in Central Armed Police Forces and Assam Rifles for GOs & NGOs, according to which, Clause-6(c) postulates that the defect for which candidate has been declared unfit should be examined thoroughly and the findings must be supported by proper investigation reports, if applicable and Review Medical Board is to obtain opinion in that regard. Argument is that in the present case, there has been no pathological, radio-logical or biopsy done in order to determine whether the said alleged deformity would amend to such a ground so as to demolish the claim of the petitioner.

8. Shri Vivek Singh who appears for the respondents on the other hand submits that once there exist a provision of constitution of a Detailed Examination Board and Review Examination Board in the establishment and the organization of the respondents and once the said reports show that the petitioner is unfit then the respondents are not under legal obligation to rely upon or to get influenced by any reports submitted by any Medical Board so constituted outside the province of the respondents. Submission is that the petitioner cannot insist that a particular report which suits him should be taken into consideration and not the reports of the respondents. Further submission is that the reports which the petitioner seeks to rely upon, are not giving the petitioner a licence that he is fit and according to him, there happens to be an office memorandum dated 20.03.2025 of the Government of India Ministry of Home Affairs, according to which, para-6 deals with the general grounds for rejection and item no. 19 contends the deformity vitiligo. Reliance has been placed upon the Division Bench judgement of Delhi High Court in ***W.P.(C) No. 15804 of 2025 & CM APPL. 64751/2025 (Naomi Neijoujam Haokip v. Staff Selection Commission and Ors.)***, decided on 14.10.2025.

9. I have heard learned counsel for the parties and gone through the records carefully.

10. Facts are not in issue. It is not in issue that an advertisement/ notification came to be published by the respondent no. 2, Staff Selection Commission for recruitment on the post of Constable (GD) in the Central Armed Police Forces (CAPFs) and SSF, Rifleman (G.D.) in Assam Rifles and Sipoy in Narcotics Control Bureau Examination-2025. Post clearing of the examination, the petitioner was subjected to medical examination before the

Detailed Medical Examination Board wherein the petitioner was declared to be unfit due to vitiligo patch over back/right leg/left axilla (Arm Pit). Review Medical Examination was conducted on 25.11.2025 again the petitioner was declared unsuccessful. Though the writ petitioner does not dispute the fact that vitiligo disease makes a candidate unfit but the objection of the writ petitioner is that the report of the Detailed Medical Examination dated 24.11.2025 and a Review Medical Examination dated 26.11.2025 are not accurate as the writ petitioner seeks to rely upon the medical reports of Sardar Vallabh Bhai Patel, Hospital associated to LLRM Medical College, Meerut and the report of LLRM Medical College, Meerut which is at page 20, 23 and 24 of the of the rejoinder affidavit.

Now a question arises whether this Court in exercise of jurisdiction under Article 226 of the Constitution of India by a blanket order hold that the Detailed Medical Examination and the Review Medical Examination reports can be set to be inaccurate. The answer is obviously "NO". As a matter of fact, the Courts do not possess technical expertise over such matters as it is neither the domain nor the within the purview of the Courts to hold the reports to be inaccurate. Interestingly, the entire basis of the argument of the learned counsel for the petitioner is that in view of the office memorandum dated 31.05.2021, the Detailed Medical Examination Board as well as the Review Medical Board was under obligation to have conducted pathological test in that regard which has not been done.

11. Reliance has been placed upon the clause (c) and (d) which reads as under:

"Guidelines for Review Medical Boards:

(c) The defect for which candidate has been declared unfit should be examined thoroughly and the findings must be supported by proper investigation reports, if applicable.

(d) Review Medical Board may obtain opinion of concerned specialists or super specialists of Govt. Medical College and Hospital in case of any doubt. Therefore, in cases of rejection in review medical examination, clinical findings should be corroborated with confirmatory tests/investigations/opinion of specialists/ super specialists of Govt. Hospitals/Medical Colleges/Govt. approved private medical centers, whichever and wherever applicable."

12. Though according to the petitioner, pathological examination is required but according to the Medical Board, there is no question of pathological examination, particularly, when the deformity is apparent. This Court obviously in writ jurisdiction is not required to bestow its own opinion on the said aspect of the matter.

13. Nonetheless the Division Bench judgement of the Delhi High Court in **Naomi Neijoujam Haokip (supra)** while relying upon the another Division Bench judgement in **Staff Selection Commission v. Aman Singh; 2024 SCC OnLine Del 7600** observed as under:

"8. In this context, reference may be made to the observations made by a Division Bench of this Court in Staff Selection Commission v Aman Singh, authored by one of us (C Hari Shankar, J), wherein a similar issue was examined and the Court observed that medical officers are the most competent to assess whether a prospective candidate meets the prescribed medical standards for the post and the scope of judicial interference in such cases being limited. The relevant extract of the observations made are reproduced hereinbelow:

10.38 In our considered opinion, the following principles would apply:

(i) The principles that apply in the case of recruitment to disciplined Forces, involved with safety and security, internal and external, such as the Armed and Paramilitary Forces, or the Police, are distinct and different from those which apply to normal civilian recruitment. The standards of fitness, and the rigour of the examination to be conducted, are undoubtedly higher and stricter.

(ii) There is no absolute proscription against judicial review of, or of judicial interference with, decisions of Medical Boards or Review Medical Boards. In appropriate cases, the Court can interfere.

(iii) The general principle is, however, undoubtedly one of circumspection. The Court is to remain mindful of the fact that it is not peopled either with persons having intricate medical knowledge, or were aware of the needs of the Force to which the concerned candidate seeks entry. There is an irrebuttable presumption that judges are not medical men or persons conversant with the intricacies of medicine,

therapeutics or medical conditions. They must, therefore, defer to the decisions of the authorities in that regard, specifically of the Medical Boards which may have assessed the candidate. The function of the Court can only, therefore, be to examine whether the manner in which the candidate was assessed by the Medical Boards, and the conclusion which the Medical Boards have arrived, inspires confidence, or transgresses any established norm of law, procedure or fair play. If it does not, the Court cannot itself examine the material on record to come to a conclusion as to whether the candidate does, or does not, suffer from the concerned ailment, as that would amount to sitting in appeal over the decision of the Medical Boards, which is not permissible in law.

(iv) The situations in which a Court can legitimately interfere with the final outcome of the examination of the candidate by the Medical Board or the Review Medical Board are limited, but well-defined. Some of these may be enumerated as under:

(a) A breach of the prescribed procedure that is required to be followed during examination constitutes a legitimate ground for interference. If the examination of the candidate has not taken place in the manner in which the applicable Guidelines or prescribed procedure requires it to be undertaken, the examination, and its results, would ipso facto stand vitiated.

(b) If there is a notable discrepancy between the findings of the DME and the RME, or the Appellate Medical Board, interference may be justified. In this, the Court has to be conscious of what constitutes a "discrepancy". A situation in which, for example, the DME finds the candidate to be suffering from three medical conditions, whereas the RME, or the Appellate Medical Board, finds the candidate to be suffering only from one of the said three conditions, would not constitute a discrepancy, so long as the candidate is disqualified because of the presence of the condition concurrently found by the DME and the RME or the Appellate Medical Board. This is because, insofar as the existence of the said condition is concerned, there is concurrence and uniformity of opinion between the DME and the RME, or the Appellate Medical Board. In such a

circumstance, the Court would ordinarily accept that the candidate suffered from the said condition. Thereafter, as the issue of whether the said condition is sufficient to justify exclusion of the candidate from the Force is not an aspect which would concern the Court, the candidate's petition would have to be rejected.

(c) If the condition is one which requires a specialist opinion, and there is no specialist on the Boards which have examined the candidate, a case for interference is made out. In this, however, the Court must be satisfied that the condition is one which requires examination by a specialist. One may differentiate, for example, the existence of a haemorrhoid or a skin lesion which is apparent to any doctor who sees the candidate, with an internal orthopaedic deformity, which may require radiographic examination and analysis, or an ophthalmological impairment. Where the existence of a medical condition which ordinarily would require a specialist for assessment is certified only by Medical Boards which do not include any such specialist, the Court would be justified in directing a fresh examination of the candidate by a specialist, or a Board which includes a specialist. This would be all the more so if the candidate has himself contacted a specialist who has opined in his favour.

(d) Where the Medical Board, be it the DME or the RME or the Appellate Medical Board, itself refers the candidate to a specialist or to another hospital or doctor for opinion, even if the said opinion is not binding, the Medical Board is to provide reasons for disregarding the opinion and holding contrary to it. If, therefore, on the aspect of whether the candidate does, or does not, suffer from a particular ailment, the respondents themselves refer the candidate to another doctor or hospital, and the opinion of the said doctor or hospital is in the candidate's favour, then, if the Medical Board, without providing any reasons for not accepting the verdict of the said doctor or hospital, nonetheless disqualifies the candidate, a case for interference is made out.

(e) Similarly, if the Medical Board requisitions specialist investigations such as radiographic or ultrasonological tests, the results of the said tests cannot be ignored by the Medical Board. If it does so, a case for interference is made out.

(f) *If there are applicable Guidelines, Rules or Regulations governing the manner in which Medical Examination of the candidate is required to be conducted, then, if the DME or the RME breaches the stipulated protocol, a clear case for interference is made out.*

(v) *Opinions of private, or even government, hospitals, obtained by the concerned candidate, cannot constitute a legitimate basis for referring the case for re-examination. At the same time, if the condition is such as require a specialist's view, and the Medical Board and Review Medical Board do not include such specialists, then the Court may be justified in directing the candidate to be re-examined by a specialist or by a Medical Board which includes a specialist. In passing such a direction, the Court may legitimately place reliance on the opinion of such a specialist, even if privately obtained by the candidate. It is reiterated, however, that, if the Medical Board or the Review Medical Board consists of doctors who are sufficiently equipped and qualified to pronounce on the candidate's condition, then an outside medical opinion obtained by the candidate of his own volition, even if favourable to him and contrary to the findings of the DME or the RME, would not justify referring the candidate for a fresh medical examination.*

(vi) *The aspect of "curability" assumes significance in many cases. Certain medical conditions may be curable. The Court has to be cautious in dealing with such cases. If the condition is itself specified, in the applicable Rules or Guidelines, as one which, by its very existence, renders the candidate unfit, the Court may discredit the aspect of curability. If there is no such stipulation, and the condition is curable with treatment, then, depending on the facts of the case, the Court may opine that the Review Medical Board ought to have given the candidate a chance to have his condition treated and cured. That cannot, however, be undertaken by the Court of its own volition, as a Court cannot hazard a medical opinion regarding curability, or the advisability of allowing the candidate a chance to cure the ailment. Such a decision can be taken only if there is authoritative medical opinion, from a source to which the respondents themselves have sought opinion or referred the candidate, that the condition is curable with treatment. In such a case, if there is no binding*

time frame within which the Review Medical Board is to pronounce its decision on the candidate's fitness, the Court may, in a given case, direct a fresh examination of the candidate after she, or he, has been afforded an opportunity to remedy her, or his, condition. It has to be remembered that the provision for a Review Medical Board is not envisaged as a chance for unfit candidates to make themselves fit, but only to verify the correctness of the decision of the initial Medical Board which assessed the candidate.

(vii) The extent of judicial review has, at all times, to be restricted to the medical examination of the candidate concerned. The Court is completely proscribed even from observing, much less opining, that the medical disability from which the candidate may be suffering is not such as would interfere with the discharge, by her, or him, of her, or his, duties as a member of the concerned Force. The suitability of the candidates to function as a member of the Force, given the medical condition from which the candidate suffers, has to be entirely left to the members of the Force to assess the candidate, as they alone are aware of the nature of the work that the candidate, if appointed, would have to undertake, and the capacity of the candidates to undertake the said work. In other words, once the Court finds that the decision that the candidate concerned suffers from a particular ailment does not merit judicial interference, the matter must rest there. The Court cannot proceed one step further and examine whether the ailment is such as would render the candidate unfit for appointment as a member of the concerned Force.

(emphasis supplied)

9. It is clear from a perusal of the aforesaid decision that the interference by courts in such matters is generally unwarranted because the standards of medical fitness for recruitment to disciplined forces are stringent and require expert assessment. The Courts, not being medically and technically equipped to reassess such findings, must defer to the opinion of the duly constituted medical boards and intervene only where there is a clear violation of procedure, established law, or principles of fair play. The judgment also highlights that the opinions obtained by a candidate from a private or a governmental hospital on their own accord, cannot serve as valid grounds for seeking dismissal and/or review of the

observations of the DME and RME.

*10. Adverting to the facts of the present case, the petitioner's candidature was rejected on medical grounds for being unfit due to defective vision of 6/9 in both eyes, which has been concurrently upheld by both the DME and RME. The eye test record produced from Charak Palika Hospital also does not justify any reconsideration. Thus, we find that none of the conditions laid down in **Aman Singh (supra)** for judicial interference stand satisfied in the present case."*

14. Pertinently, the report relied upon by the petitioner, Sardar Vallabh Bhai Patel, Hospital associated to LLRM Medical College, Meerut (Annexure-RA-2 at page-20/21) and Department of Pathology, LLRM Medical College only talks about punch biopsy and advice has been given by repeat biopsy for multiple sides. Even otherwise, the biopsy is only done when it is a case of malignancy, thus, it cannot be out-rightly ruled that there is no deformity of vitiligo.

15. Accordingly, no good ground is made for interference. The writ petition is, therefore, **dismissed**.

16. Instructions filed today are taken on record and marked as appendix A.

March 16, 2026

Ashu

(Vikas Budhwar,J.)