



CNR: KAHC010618042026

NC: 2026:KHC:51055
WP No. 27969 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 27969 OF 2026 (GM-RES)

BETWEEN:

1. MONISH N ARADHYA
AGED ABOUT 25 YEARS,
C/O. HEMALATHA MC,
RESIDING AT NO. 1376,
5TH CROSS, 2ND MAIN ROAD,
KRISHNAMURTHYPURAM,
LAKSHMIPURAM POST,
MYSURU 570 004

...PETITIONER

(BY SRI. K S PONNAPPA.,ADVOCATE)

AND:

1. UNION OF INDIA
THROUGH THE DEFENCE SECRETARY,
MINISTRY OF DEFENCE,
OFFICE AT 25067-70,
5TH FLOOR, KARTAVYA BHAVAN-2,
NEW DELHI-110001
2. SPECIAL MEDICAL BOARD,
COMMAND HOSPITAL AIRFORCE,
CAMBRIDGE ROAD, CAMBRIDGE LAYOUT,
JOGUPALYA, BRIGADE ROAD,
BENGALURU -560 007
3. INTEGRATED HEADQUARTERS OF





CNR: KAHC010618042026

NC: 2026:KHC:51055
WP No. 27969 of 2026

MINISTRY OF DEFENCE (ARMY),
ADJUTANT GENERAL'S
BRANCH, RTG 6 (SP) WING 1,
WEST BLOCK - III, RK PURAM,
NEW DELHI-110066
REP BY PRESIDENT

4. APPEAL MEDICAL BOARD,
HOSPITAL ROAD, CHANAN SINGH PARK,
DELHI CANTONMENT,
NEW DELHI, DELHI 110010
REP BY PRESIDENT
5. INTEGRATED HEADQUARTERS OF MOD
(ARMY), ADJUTANT GENERAL'S BRANCH,
DTE GEN OF MEDICAL SERVICES
(ARMY/DGMS-5A) 'A' BLOCK,
3RD FLOOR, DEFENCE OFFICE COMPLEX,
KG MARG, NEW DELHI-110001
REP BY PRESIDENT
6. REVIEW MEDICAL BOARD,
ARMED FORCES MEDICAL COLLEGE,
SOUTHERN COMMAND,
SOLAPUR-PUNE HIGHWAY
(NEAR RACE COURSE),
PUNE 411040
REP BY DEPUTY DIRECTOR

...RESPONDENTS

(BY SRI. ARAVIND KAMATH, ASG A/W
SRI. SHARASCHANDRA RAMESH DODAWAD., CGC)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF
CERTIORARI, OR ANY OTHER APPROPRIATE WRIT AND QUASH/
SET ASIDE THE IMPUGNED ORDER DATED 17/08/2026 PASSED
BY THE REVIEW MEDICAL BOARD PRODUCED AT ANNEXURE-A.



THIS PETITION, COMING ON FOR PRELIMINARY HEARING
IN 'B', THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following
reliefs:

"a) Issue a Writ of Certiorari, or any other appropriate Writ and quash/Set aside the impugned order dated 17/08/2026 passed by the Review Medical Board produced at Annexure-A.

b) Direct the Respondents to constitute a Review Medical Board and afford the Petitioner an opportunity to undergo a fresh ultrasound examination of his Left Side Kidney by a senior specialised in Radiology in a time bound manner.

c) Pass such other orders or directions as this Hon'ble Court may deem fit in the facts and circumstances of the case, in the interest of justice and equity."

2. It is the case of the petitioner that he had applied for selection to the Indian Army and that he had secured 51st rank in the merit list. The petitioner was required to undergo medical examination. Consequent to which, he was declared unfit by the Special Medical Board¹. At this juncture, it is

¹ Hereinafter referred to as 'SMB'



pertinent to note that the SNB found the petitioner unfit due to the following reasons:

- i. Small kidney (left);
- ii. Thrombocytopenia;
- iii. Left cervical rib.

3. Being aggrieved, the petitioner made a representation to appeal before the Appellate Medical Board². The AMB, upon re-examination of the petitioner found the petitioner medically unfit for the left small kidney.

4. Being aggrieved, the petitioner addressed a representation dated 10.08.2026 seeking for review of the decision of the AMB. The request of the petitioner for constitution of a Review Medical Board³ having been rejected, the present petition is filed.

5. Heard in detail the submissions made on behalf of the learned counsel for the petitioner and the learned

² Hereinafter referred to as 'AMB'

³ Hereinafter referred to as 'RMB'



Additional Solicitor General appearing on behalf of the respondents.

6. The admitted factual matrix is that the SMB found the petitioner unfit for small kidney (left), thrombocytopenia and left cervical rib. However, the AMB found the petitioner fit for thrombocytopenia and left cervical rib. Hence, the grievance of the petitioner in the present petition is limited to the petitioner being declared unfit due to "left small kidney". In this context, reliance is placed by the petitioner on various medical reports conducted by various hospitals/diagnostic centres. the said reports indicate ultrasound scan results of the petitioner. In the report dated 13.08.2026 (Annexure-G to the writ petition) issued by Manipal Hospital, the result of the ultrasound scan indicates that the size of the left kidney is 7.7-8cm.

7. The stipulation in the Manual of Medical Standards for entry into Armed Forces (Produced as Annexure-R5 to the statement of objections) with regard to the kidney diseases reads as under:



CNR: KAHC010618042026

NC: 2026:KHC:51055
WP No. 27969 of 2026

"5. Chronic Kidney Disease. Any persistent (>3months) structural or functional abnormality of the kidney as detected during clinical examination, urina considered unfit. Even in case of normal Investigations, in case the kidneys appear examination, RFT, or ultrasonography, qualifies as chronic kidney disease, and is considered unfit. Even in case of normal investigations, in case the kidneys appear shrunken on ultrasound (less than 8cm of either side), it qualifies for rejection.

6. Sexual Transmitted Diseases and Human Immuno-Deficiency Virus (HIV). Any evidence of Sexually Transmitted Diseases and HIV will entail rejection.

7. Ultrasonography of the Abdomen and Pelvis-Urogenital System

7.1. Kidneys, Uraters and Urinary Bladder

7.1.1. Unfit

7.1.1.1. Congenital structural abnormalities of kidneys or urinary tract.

7.1.1.1.2. Unilateral or bilateral hypoplastic/contracted/ shrunken kidney of size less than 08 cm.

7.1.1.1.3. Malrotation of kidney.

7.1.1.1.4. Horseshoe kidney.

7.1.1.1.5. Crossed fused/ ectopic kidney.

7.1.1.1.6. Any other congenital anomaly of the kidney or urinary tract.

7.1.2. Simple single renal cyst of more than 1.5 cm size in one kidney."

(emphasis supplied)



8. It is also contended on behalf of the respondents that when the case of the petitioner was considered by the AMB, a "Triple Phase CECT Scan" of the abdomen was done. It is submitted that the said scan gives more accurate results than an ultrasound scan and the report of the said scan indicates that the left kidney of the petitioner is 7 cms.

9. It is the vehement contention on behalf of the learned counsel for the petitioner that a request is made in the present proceedings for consideration by the RMB. It is contended that the representation of the petitioner for review of the AMB was rejected and he was not examined by the RMB. It is also contended that the composition of the AMB was not as per norms, inasmuch as the AMB is required to consist of specialists in the said specialty. Reference is made to the doctors, who had constituted the AMB to contend that they are not specialists in the specific field that the petitioner is being found unfit. However, the said contention of the petitioner is to be rejected having regard to the fact that one of the doctors, who constituted the AMB holds decree "MD (Medicine) and DM (Neuro)".



10. The request of the petitioner for review of the decision of the AMB was rejected. In this context, it is pertinent to notice that in the Manual of Medical Standards, entry into the Armed Forces, the stipulation regarding RMB is as under:

"Review Medical Board (RMB)

16. When a candidate is declared unfit by AMB, the result is communicated to him/her by the President of AMB. The candidate can request for a review against the findings of AMB within one day of the same being communicated to the candidate. RMB will be convened by Director General, Armed Forces Medical Services (DGAfMS) at AFMC Pune/ AH (R&R) on the specific request of Service Headquarters or Ministry of Defence when an opinion of a previous Medical Board is challenged by an individual and Service Headquarters concerned or Ministry of Defence considers there is some weight in the challenge. RMB is not a matter of right. The Review Medical Board proceedings will be forwarded to the concerned authorities via the respective DGsMS. The findings of RMB will be accepted as final, after approval by Director General Armed Forces Medical Services. No further appeal will be entertained by Service Headquarters or Ministry of Defence."

(emphasis supplied)

11. It is clear from a plain reading of the aforementioned stipulation that the request for review against the findings of the AMB by the RMB is not a matter of right.



CNR: KAHC010618042026

NC: 2026:KHC:51055
WP No. 27969 of 2026

12. Reliance is placed on behalf of the petitioner on a Division Bench judgment of the Delhi High Court in the case of **Chandan Joshi v. Union of India & Ors.**,⁴ However, the said judgment would not aid the case of the petitioner, inasmuch as the Division Bench considering the fact that a report was issued by the All India Institute of Medical Sciences⁵, Rishikesh has directed the petitioner in the said petition to be examined by RMB.

13. Reliance is placed on behalf of the respondents on the judgment of the Division Bench of the Delhi High Court in the case of **Parth Karamchandani v. Union of India & Ors.**,⁶ The relevant portion of which reads as under:

"13. At the outset, we would re-emphasize that the medical standards required for appointment to the Indian Army are stringent, and no laxity or sympathetic consideration of the same can be accepted. The rigors and the stress required of the job also require stringent application of the medical standards.

14. In the present case, there is a consistent finding between the Initial Medical Board and the Appeal Medical Board regarding the petitioner suffering from attic retraction of the ear. The finding of at least the Appeal

⁴ WP(C) No.18760/2025, CM Appl.78125/2025, Date of Decision 20.01.2026;
NC:2026:DHC-497-DB

⁵ Hereinafter referred to as 'AIMS'

⁶ WP(C) 16752/2024 & CM Appl.70918/2024, Date of decision 12.12.2024;
NC:2024:DHC:9748-DB



CNR: KAHC010618042026

NC: 2026:KHC:51055
WP No. 27969 of 2026

Medical Board is supported by a clinical examination of the petitioner. Though it finds the petitioner to be suffering from Type C attic retraction, while the report from Venkateshwar Hospital finds the petitioner suffering from Type AS attic retraction in the left ear, we have been informed that even Type AS attic retraction would lead to disqualification of the petitioner.

15. In view of the above facts, we do not consider it to be a fit case to direct the respondents to make the petitioner undergo a Review Medical Examination as well. We have no reason to doubt the opinions that have been rendered by the Initial Medical Board as well as by the Appeal Medical Board, as far as the case of the petitioner is concerned.

16. Accordingly, we do not find any merit in the present petition. The petition along with the pending application is accordingly dismissed."

14. In the facts of the present case, it is pertinent to note that the petitioner has produced test results of ultrasound scan. The scan done at the time of review by the AMB is of "Triple Phase CECT Scan", which is stated to be more accurate than an ultrasound scan. In any event, in all the scan reports submitted by the petitioner, the size of the left kidney of the petitioner is indicated as 8 cms., or less. There is no scan report, which indicates that the size of the left kidney of the petitioner is more than 8 cms. The stipulations clearly indicate that if the kidney is less than 8 cm., the candidature is to be rejected.



15. Having kept the factual matrix of the present case, keeping in mind the fact that a request for review of the decision of the AMB by RMB is not a matter of right; and having regard to the stringent conditions of the nature of work that is required to be discharged by the personnel of the Indian Army, in the considered opinion of this Court the extraordinary discretionary jurisdiction of this Court contained under Article 226 of the Constitution of India is not to be invoked to grant relief as sought for by the petitioner in the present writ petition.

16. Accordingly, the writ petition stands dismissed.

17. Pending IAs., if any, stand disposed of.

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA on 21-09-2026

(C.M. POONACHA)
JUDGE

nd
List No.: 1 Sl No.: 73