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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2564/2016 & CM No.10884/2016**

NAVEEN KUMAR Petitioner
Through : Mr. Sachit Arora, Advocate

versus

UNION OF INDIA & ORS Respondents
Through : Mr. Vinod Kr. Tiwari, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
% **22.03.2016**

1. The petitioner is aggrieved by the order dated 12.9.2015, issued by the respondents/DIG, CRPF, Jharoda Kalan, New Delhi, declaring him as permanently unfit for selection to the post of Constable (GD) on medical grounds, which have not been specifically stated in the said order.
2. Counsel for the respondents, who appears on advance copy, states that prior to filing the present petition, the petitioner ought to have approached the respondents with a request for convening a Review Medical Board to re-examine his medical condition and had he filed such an application, the same would have been considered as per the prescribed procedure.
3. In view of the aforesaid submission, counsel for the petitioner seeks leave to withdraw the present petition, while reserving the right of the petitioner to approach the respondents with a request for convening a Review Medical Board, to re-consider his medical condition.

4. Accordingly, the present writ petition is disposed of, along with the pending application, with liberty granted to the petitioner to file a representation with the respondents for convening a Review Medical Board to re-consider his medical condition within two weeks. The respondents shall convene a Review Medical Board within four weeks from the date of receipt of such a representation from the petitioner.

5. Needless to state that the respondents shall communicate the result of the Review Medical Board to the petitioner. If the petitioner is aggrieved by the decision that may be taken by the respondents on the basis of the recommendations of the Review Medical Board, he shall be entitled to seek his remedy, if so advised, in accordance with law.

HIMA KOHLI, J

SUNIL GAUR, J

MARCH 22, 2016

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