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

+ W.P.(C) 6043/2016

JAY SINGH CHAHAR

..... Petitioner

Represented by: Mr.Akhtar Hussain, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Represented by: Ms.Barkha Babbar, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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18.07.2016

CM No.24859/2016

Allowed subject to all just exceptions.

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1. The petitioner has been found medically unfit being appointed as a Sailor in the Indian Navy.
2. We do not find any averment in the writ petition concerning medical standards on which disablement had to be opined if a person is detected with VITILIGO (RT) for arm. The further problem is that the petitioner relies upon opinions obtained from Civil Hospitals without disclosing to the doctor concerned that whether the medical infirmity would be a disablement for joining the Indian Navy.
3. Under the circumstances rather than have the writ petition dismissed for lack of pleadings not evincing a proper cause of action, learned counsel

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for the petitioner seeks leave to withdraw the writ petition with right reserved to file a fresh petition on the same cause of action.

4. Granting liberty as prayed for the writ petition is dismissed as not pressed.

5. No costs.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

JULY 18, 2016

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