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

+ W.P.(C) 2742/2017

KARAMVEER

..... Petitioner

Through: Mr. Yudhvir Singh, Advocate.

versus

UNION OF INDIA & ORS

..... Respondent

Through: Mr. Anurag Ahluwalia, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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16.10.2017

The petitioner was operated for problem of Varicose Vein on 4th August, 2015. To this extent there is no dispute or lis.

2. In the aforesaid circumstances, the petitioner cannot challenge his disqualification on the ground that he has been declared medically unfit, for the guidelines for recruitment issued by the Ministry of Home Affairs, Government of India specifically stipulate that cases of Varicose Veins, even if operated, should not be accepted because the basic defect remains unchanged. These guidelines are not under challenge.

3. Contention of the petitioner is that he did not suffer from Varicose Veins and, therefore, the operation was inconsequential. The contention has to be rejected, for once the petitioner has undergone surgical procedure, we would accept the position that he

was in fact suffering from Varicose Veins, which was the ground and reason why the petitioner was declared medically unfit by the Recruitment Medical Board. Even if it is assumed that there was lapse on the part of the Recruitment Medical Board, who had not followed the procedure to diagnose Varicose Veins as prescribed in the aforesaid guidelines, there would not be any better or greater proof of the fact that the petitioner was suffering from the said problem, for the petitioner was certainly operated, as accepted.

4. The writ petition has no merit and is dismissed without any order as to costs.

SANJIV KHANNA, J

NAVIN CHAWLA, J

OCTOBER 16, 2017
NA