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

+ **W.P.(C) 11114/2019 and CM APPL. 45759/2019 (direction)**

ABHAY CHITRAVANSHI Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr.Rakesh Kumar, CGSC with
Mr.Chetan Shukla and Mr.Raghav ‘
Nagar, Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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28.11.2019

1. The Court has perused the medical records. There have been 3 stages of the examination of the Petitioner on 20th June, 2019, 2nd August, 2019 and finally, on 27th September, 2019. At each stage the examination was conducted by a 3 member medical board. The Petitioner has been consistently found unfit for cubitus valgus (right).

2. The Petitioner who appears in person states that the degrees/angles mentioned in the medical record do not have a bearing on the actual functioning, given the position for which he has applied.

3. The correctness of the medical standards prescribed by the Respondents is not justiciable. The Court cannot possibly examine their correctness.

4. The Petitioner then states that there are certain other instances where persons having 20 degree cubitus valgus who have been cleared. He refers to an internet article for this purpose.

5. The Court cannot go on the basis of such internet pieces. In any event, two wrongs do not make a right.

6. Lastly, it is urged that there is still a discretion in the medical board to relax the standards. The Court is unable to agree. In matters of recruitment to the armed forces, strict adherence to the prescribed standards is an imperative.

7. None of the reliefs claimed for can be granted. The petition is dismissed. The pending application also stands disposed of.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 28, 2019

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