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

+ **W.P.(C) 11199/2019 and C.M.No.46080/2019 (Stay)**

**RAHUL**

..... Petitioner

Through: Mr.Siddharth Mittal and Mr.Prabhat  
Kumar, Advocates.

versus

**UNION OF INDIA & ORS**

..... Respondents

Through: Mr.Jivesh Kumar Tiwari with  
Mr.Piyush Gaur, Advocates.

**CORAM:**

**JUSTICE S.MURALIDHAR**

**JUSTICE TALWANT SINGH**

**ORDER**

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**18.12.2019**

1. The Court has perused the original medical record. It is seen that after the Petitioner underwent surgery for DNS he was examined by Medical Officer Board trained in ENT on 16<sup>th</sup> August, 2019 and again diagnosed as having 'septum perforation'. Accordingly, it was opined that the Petitioner was unfit in 4(i) which has the remark of 'DNS (right).

2. Learned counsel for the Respondents has drawn attention to the normal medical examination in the Medical Board published in the September, 2010 4<sup>th</sup> Edition Chapter 11 para 3.11.1 (b) states that 'any septum perforation will entail rejection'.

3. The Petitioner's reliance on the medical report dated after 22<sup>nd</sup> August,

2019 is to no avail since the Petitioner has already been examined twice and on each occasion by qualified medical professionals.

4. In as much as even post surgery the Petitioner was found having ‘septum perforation’, the opinion of the Appeal Medical Board that the Petitioner is unfit does not call for any interference.

5. The petition and the pending application are dismissed.

**S.MURALIDHAR, J**

**TALWANT SINGH, J**

**DECEMBER 18, 2019**

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