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

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VISHNU KUMAR

W.P.(C) 2739/2019

..... Petitioner

Through: Mr Ankit Kumar Lohan, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr P.S. Singh, Advocate with Mr
Rajpal Singh, Advocates for UOI.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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18.03.2019

CM 12648/2019 (exemption)

1. Allowed, subject to all just exceptions.

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2. The Petitioner is aggrieved by his non-selection to the post of Sailor in the Indian Navy under the Senior Secondary Recruitment 01/2018. According to the Petitioner, in the initial medical examination which took place on 6th September, 2017 at Indira Ghandi Stadium, Nagpal Road Professor Colony, Una, Himachal Pradesh, he was found fit.

3. The Petitioner was sent a call letter dated 18th January, 2018, directing him to report to the Recruiting Office at INS Chilka, Odisha on 17th February, 2018. This time, he appeared for the final medical examination on that date and was declared unfit on account of CON "LT" in his ear.

4. The Court has been shown the original records which reveal that the said examination at INS Chilka on 17th February, 2018 was conducted by a classified ENT Specialist. At the request of the Petitioner, he was examined for a second time at INHS Kalyani at Vishakhapatnam on 9th March, 2018. This time he was examined by Tarun Malhotra, Surgeon Captain, who is also a classified ENT Specialist. He also confirmed the unfitness of the Petitioner.

5. Since on both occasions, two separate ENT specialists have examined the Petitioner and have concurred in their views, the Court does not consider it appropriate to interfere with the said decision.

6. The petition is accordingly dismissed.

S. MURALIDHAR, J.

I.S. MEHTA, J.

MARCH 18, 2019

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