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

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SACHIN KUMAR

W.P.(C) 11122/2018

..... Petitioner

Through: Mr Manoj Kumar Gupta, Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mrs Bharathi Raju, CGSC for UOI.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VINOD GOEL

ORDER

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08.02.2019

1. The Petitioner is aggrieved by his being declared medically unfit for the Post of Airman Group Y (Non Technical). The medical unfitness, as noted in the first medical examination that took place on 12th July 2018, was on two grounds; (i) DNS (RT); and (ii) Pilonidal Sinus.

2. The Petitioner then sought a review before an Appeal Medical Board ('AMB') which examined him on 4th September, 2018. While the AMB found him fit for DNS (RT), he was found still unfit on account of Pilonidal Sinus. Apparently, one week thereafter, the Petitioner went to some medical facility in Bhivani, Haryana and a certificate was issued to him by a laparoscopy surgeon that he has been operated for Pilonidal Sinus on 24th July, 2018 and that he has no symptoms thereafter. He has also produced another report issued by a hospital in Jhajjar, Haryana on 17th September, 2018 to the same effect.

3. Both the certificates produced by the Petitioner talk of an operation undergone by him on 24th July, 2018. It appears that he underwent the surgery between the initial medical examination and his examination by the AMB. However, the Court finds from the original medical record produced before it that in the AMB, there were specialists and the Petitioner was again found unfit for Pilonidal Sinus.

4. In similar circumstances, by an order dated 24th November, 2017 in W.P.(C) No.10401/2017 (*Yogesh Kumar v Union of India*), this Court declined to interfere.

5. In the present case, this Court is satisfied that there is no error committed by the AMB in declaring the Petitioner to be unfit. No grounds have been made out for interference. The petition is accordingly dismissed. No costs.

S. MURALIDHAR, J.

VINOD GOEL, J.

FEBRUARY 08, 2019

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