

\$~127, 129-133, 135, 136, 138, 140, 141, 144, 147, 150, 151

* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 01.09.2021

+ **W.P.(C) 3763/2021**
RAMKANWAR

..... Petitioner

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondent

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 4135/2021 & CM APPL. 12574/2021**
PARVEJ KHAN

..... Petitioner

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 4139/2021 & CM APPL. 12584/2021**
SALMAN KHAN

..... Petitioner

WP(C) 3763/2021 & other connected matters

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondent

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 4141/2021 & CM APPL. 12591/2021**

VISHANT SHISHODIA

..... Petitioner

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 4142/2021 & CM APPL. 12594/2021**

JAIRAJ PRAJAPAT

..... Petitioner

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.

WP(C) 3763/2021 & other connected matters

alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

- + **W.P.(C) 4145/2021 & CM APPL. 12600/2021**
KHUSHWANT JANGRA Petitioner
Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.
versus
UNION OF INDIA & ORS. Respondents
Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.
- + **W.P.(C) 4194/2021 & CM APPL. 12751/2021**
VIPIN YADAV Petitioner
Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.
versus
UNION OF INDIA & ORS. Respondents
Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.
- + **W.P.(C) 4198/2021 & CM APPL. 12758/2021**
UMESH SHARMA Petitioner

WP(C) 3763/2021 & other connected matters

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 4208/2021 & CM APPL. 12789/2021**

CHANDRASHEKHAR KUMAR KUSHWAHA Petitioner

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 4218/2021 & CM APPL. 12814/2021**

KISHAN SINGH Petitioner

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.

WP(C) 3763/2021 & other connected matters

alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 4223/2021 & CM APPL. 12825/2021**

SHIVAM SHARMA

..... Petitioner

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 4291/2021 & CM APPL. 13048/2021**

RAHUL KUMAWAT

..... Petitioner

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 4651/2021 & CM APPL. 14309/2021**

PANKAJ BALODA

..... Petitioner

WP(C) 3763/2021 & other connected matters

Through: Mr.Siddharth Mittal,
Mr.Prabhat Kumar & Ms.Shilpa
G Mittal, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vikrant N Goyal, Mr.
Jaswant Rai Aggarwal &
Mr.Abhishek Khanna Advs.
alongwith Mr.Dhirendra
Srivastava, Mr.Arijit Mukherjee
and Mr.Dhamendra, Officers
from Air Force.

+ **W.P.(C) 5724/2021**

HARSHIT PAWAR & ORS.

..... Petitioners

Through: Mr.Ajit Kakkar & Ms.Tanya,
Advs.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr.Rajesh Kumar, Adv.

+ **W.P.(C) 5738/2021**

AJAY SINGH

..... Petitioner

Through: Mr.Ajit Kakkar & Ms.Tanya,
Advs.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr.Naginder Benipal, Sr. Panel
Counsel for UOI with Mr.Amit
Dogra, GP and Ms.Harithi
Kambiri, Adv.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE NAVIN CHAWLA

MANMOHAN, J. (Oral)

The matter has been heard by way of video conferencing.

WP(C) 3763/2021 & other connected matters

1. Present writ petitions have been filed seeking directions to the respondents to re-examine and re-conduct Medical test of the petitioners under supervision of concerned Medical Authorities and to constitute an Independent Medical Board at the Air Force Hospitals or any Government Hospitals to re-examine them.
2. Learned counsels for the Petitioners state that the petitioners have been declared medically unfit for the post of Airmen in Indian Air Force vide separate Medical Unfitness Certificates issued by the Appeal Medical Board on the basis of various ECG abnormalities.
3. Learned counsels for the Petitioners point out that the concerned Appeal Medical Boards have declared the Petitioners unfit in a mechanical and arbitrary manner without conducting any fresh ECG or ECHO test. They state that the Appeal Medical Board was required to test the Petitioners for the abnormality afresh.
4. Today Mr. Vikrant N Goyal, learned counsel for the Respondents on instructions states that fresh ECG of the Petitioners shall be conducted by the Review Medical Board and the same will be evaluated by the Medical Specialist(s) in accordance with the policy of the Respondents. He assures this Court that the needful shall be done within ten days. He also states that the dates of fresh ECG examination will be communicated to the Petitioners through their counsel at least three days in advance. He assures this Court, on instructions, that the medical evaluation procedure for all candidates shall be completed within four weeks.

5. In view of the aforesaid statements, learned counsel for the Petitioners does not wish to press the present writ petitions any further.

6. The statements/undertakings given by the counsel for the parties are accepted by this Court and the parties are held bound by the same.

7. Accordingly, the present writ petitions along with pending applications stand disposed of.

8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.

MANMOHAN, J

NAVIN CHAWLA, J

SEPTEMBER 1, 2021/rv



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