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

+ **W.P. (C) 4297/2020, CM APPL. 15459/2020**

SURESH KUMARPetitioner
Through: Ms.Saahila Lamba, Advocate.

Versus

UNION OF INDIA & ORS.Respondents
Through: Mr.Satyendra Kumar, Advocate
for R-1.
Ms.Rashmi Malhotra with
Ms.Gargi Sharma, Advocates for
Railways.

+ **W.P. (C) 4298/2020, CM APPL. 15461/2020**

ANGREZ SINGHPetitioner
Through: Ms.Saahila Lamba, Advocate.

Versus

UNION OF INDIA & ORS.Respondents
Through: Mr.Vishal Bakshi, Advocate for R-
1.
Ms.Rashmi Malhotra with
Ms.Gargi Sharma, Advocates for
Railways.

+ **W.P. (C) 4301/2020, CM APPL. 15475/2020**

JITENDER RANAPetitioner
Through: Ms.Saahila Lamba, Advocate.

Versus

UNION OF INDIA & ORS.Respondents

Through: Mr.Siddharth Khatana, Advocate
for UOI.
Ms.Rashmi Malhotra with
Ms.Gargi Sharma, Advocates for
Railways.

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Date of Decision: 16th March, 2021

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE ASHA MENON

J U D G M E N T

MANMOHAN, J (Oral):

1. Present writ petitions have been filed challenging the letters issued by respondents whereby the petitioners have been considered fit in medical category Bee-One with hearing aid. Petitioners seek directions to the respondents to correctly determine medical category of petitioners commensurate with their medical condition.
2. Learned counsel for the petitioners states that the decision of Medical Board, as accepted by Principal Chief Medical Director, of placing petitioners in medical category Bee-one with hearing aid is not correct in view of duties entailed in RPF in Bee-one category. She states that the Medical category Bee-one in RPF entails patrolling/escorting duty work at railway stations.
3. From a perusal of the paper book, this Court finds that the Medical Board of Petitioners has found them fit in Bee-one with hearing aid at the discretion of PCMD as per para 523(e) of IRMM 2000.
4. Admittedly hearing aid has been provided to the petitioners.

5. It is settled law that this Court examines the decision making process and not the decision. In the present case, nothing has been pointed out which would indicate that the decision making process of the respondents was arbitrary and/or illegal. The only averment is that in view of the duties entail in RPF, the medical categorization should be separate and distinct from the Railways.

6. However, this Court is of the view that officials in the RFP as well as the Railways are bound to be posted in an around railway stations and there is nothing on record to warrant a separate medical categorization for the RPF personnel.

7. Accordingly, the present writ petitions along with pending applications being bereft of merits are dismissed.

MANMOHAN, J

ASHA MENON, J

MARCH 16, 2021
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