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

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Date of decision: October 14, 2022

+ W.P.(C) 14565/2022

MANISH KUMAR

..... Petitioner

Through: Ms. Saahila Lamba, Advocate

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Shrey Sharawat, Mr. Mimansak
Bhardwaj, Mr. Sunny and Mr.
Vedansh, Advocates

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. By way of the present petition, petitioner seeks issuance of a writ of mandamus directing the respondents for convening Medical Board of petitioner to ascertain his medical/physical condition and fitness for duty and thereafter deployment of the petitioner on a post which commensurates with his medical/physical condition of petitioner as assessed by the Medical Board.
2. Notice issued. Learned counsel for respondents accepts notice on behalf of the respondents.
3. In view of the averments made in the present petition and the submissions made by the learned counsels for the parties, in the interest of



justice, we hereby dispose of the present petition by directing the respondents to constitute a Medical Board to examine the medical condition of the petitioner, and decide as to whether the petitioner is suffering from ‘seronegative Rheumatoid arthritis’ and if so, under what category of the disability criteria he would lie, within four weeks from today. The respondents shall communicate the decision of the same to the petitioner within one week thereafter.

4. Needless to state that if the petitioner is still aggrieved by the decision of the Medical Board, he may challenge the same before the appropriate forum.

5. Accordingly, petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

OCTOBER 14, 2022/rr