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

% *Date of decision: October 18, 2022*

+ W.P.(C) 13714/2019

VIKASH KUMAR

..... Petitioner

Through: Mr. Randhir Singh Kalkal, Advocate

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr. T. P. Singh, SCGC with Mr.
Vikrant Singh, Advocate
Mr. Hemendra Singh, DC (Law) BSF.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. Pursuant to order dated 16.09.2022 passed by this court, respondents have produced the original medical report whereby it is established that in Preliminary Medical Examination Report, petitioner was declared 'Unfit' for two reasons i.e. (i) Cubitus Valgus (B/L) and (ii) Umbilical Hernia.
2. Thereafter, the same was challenged by the petitioner and accordingly he was directed to appear before the Review Medical Board. In Review Medical Board, the petitioner was examined for Hernia and declared 'Unfit' and with regard to Cubitus Valgus (B/L), he was declared 'Unfit in Absentia' as he did not get himself examined for the said disability.
3. Thus, it is established that he had appeared in the said medical

Neutral Citation Number 2022/DHC/004372

examination, and that as per the report the petitioner is 'Unfit' for two counts as mentioned above.

4. Therefore, there is no merit in the petition which is accordingly dismissed.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

OCTOBER 18, 2022/akr

