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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
 + W.P.(C) 8597/2023, CM APPL. 32655/2023 & CM APPL. 32656/2023

KULDEEP SINGH Petitioner
 Through: Ms. Nikita and Mr. Brijesh
 Yadav, Advs.

versus

UNION OF INDIA AND OTHERS Respondent
 Through: Mr. NK Aggarwal, Senior
 Panel Counsel for R-1
 Sh. Mahoj Kumar Sharma, DC (BSF) and
 Sh. Hemendra Singh DC (LAW) BSF

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER (O R A L)

28.06.2023

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per MANOJ JAIN, J.

1. The petitioner is seeking quashing of the detailed medical examination dated 3 June 2023 as well as review of medical examination dated 6 June 2023. The attention of the Court has been drawn towards the revised guidelines dated 31 May 2021. As per the final conclusion given by the Review Medical Board, the petitioner was found to be unfit, as he was suffering from hypertension. The revised guidelines are very clear on the aforesaid aspect of person being suffering from hypertension, for such candidate as per the 7(e) and 8 for the purposes of having proper medical board, any such candidate is required to be admitted/ hospitalized by the Board before



giving final opinion regarding candidate's fitness or otherwise. It is also important to note that as per the aforesaid guidelines, the hospitalization report should indicate whether the rise in blood-pressure is of a transient nature due to excitement etc. or whether due to any organic disease.

2. During the course of the argument, it was very fairly admitted by the learned counsel for the respondent that the review is without there being any kind of admission/hospitalization. It is undertaken that there would be fresh review medical board and the medical examination would be carried out in consonance with the aforesaid revised guidelines i.e. 7 (e) and 8.

3. In view of the aforesaid, no further relief is sought by the petitioners. It is very fairly admitted by learned counsel for the petitioners after receiving instructions in this regard that the candidate in question was not hospitalized. Let the Board be constituted as expeditiously as possible and advance notice of three (3) days in this regard be served to the petitioners, since one of the petitioners is posted in Manipur.

4. In view of above, the petition stands disposed of.

MANOJ JAIN, J
(VACATION JUDGE)

C.HARI SHANKAR, J
(VACATION JUDGE)

JUNE 28, 2023 /ar