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

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Judgment delivered on: 31.07.2023

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W.P. (C) 10024/2023 & CM. APPL. 38642-44/2023

SUNKARI SAGAR

.... PETITIONER

versus

UNION OF INDIA AND OTHERS

.... RESPONDENTS

Advocates who appeared in this case:

For the Petitioner:

Mr. Umesh Singh and Mr. Vijay Pratap Singh,
Advocates.

For the Respondent:

Mr. Nitinjya Chaudhary, Mr. Abhishek and Mr.
Rahul Maurya, Advocates for UOI.

Mr. Pradeep Kumar Jha, Ms. Perna Dhall and Mr.
Karan Wadhwa, Advocates.

Mr. Hemendra Singh, DC, Law, BSF.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns the result of the appeal medical examination dated 14.06.2023, whereby petitioner was declared medically 'Unfit'.
2. Petitioner had applied pursuant to an advertisement issued by



the respondents for the post of Navik, GD in Indian Coast Guard. The primary medical examination report states that the petitioner was unfit on account of dental malalignment. Petitioner applied for a review. The Review Medical Board declared petitioner fit on the ground that he has sufficient dental points. Thereafter, petitioner was examined at the Indian Naval Ship, Chilka as part of the stage-III of the examination, wherein it was stated that petitioner is temporary unfit for Hansen's disease (Leprosy).

3. Petitioner was thereafter examined at INHS Kalyani at Vishakhapatnam, where the petitioner has been declared unfit for Hansen's disease on noticing persistence of Hypopigmented erstwhile patch on exterior aspect of right forearm.

4. Learned counsel for petitioner submits that the petitioner does not suffer from the said ailment and the All India Institute of Medical Sciences, Mangla Giri, Andhra Pradesh has certified that there is no clinical evidence of Hansen's disease at present.

5. The medical documents filed by the petitioner, particularly, the treatment slip of Shri Venkateshwara Skin and Cosmetology Clinic dated 02.07.2022 as well the report of the King George Hospital, Visakhapatnam dated 24.06.2023, show that petitioner was suffering from Hansen's disease. In fact, the King George Hospital,



Visakhapatnam has certified that petitioner is a known case of Hansen's 10 months back and completed multi drug therapy for six months.

6. As per the Guidelines for Recruitment Medical Examination in Central Armed Police Forces and Assam Rifles, Leprosy, which is also known as Hansen's disease, is an outright disqualification for enrolment.

7. Since petitioner is a known case of Hansen's disease (Leprosy), we find no ground to interfere with the decision taken by the respondents in declaring the petitioner unfit for the concerned service based on his medical examination. We find no merit in the petition. Petition is consequently dismissed.

SANJEEV SACHDEVA, J

JULY 31, 2023/NA

MANOJ JAIN, J