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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 10.11.2023

+ W.P.(C) 12207/2023 & CM APPL. 47949/2023

KOLEKAR ANKUSH BABU

..... Petitioner

versus

DIRECTOR GENERAL, CENTRAL INDUSTRIAL
SECURITY FORCE AND ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Mr. Prashant R. Dahat, Mr. Sourabh Gupta, Mr.
Puneet Yadav and Mr. Ananya Gupta, Advocates

For the Respondents:

Mr. Jivesh Kr. Tiwari, Senior Panel Counsel for
UIO**CORAM:****HON'BLE MR. JUSTICE SANJEEV SACHDEVA****HON'BLE MR. JUSTICE MANOJ JAIN****JUDGMENT****SANJEEV SACHDEVA, J. (ORAL)**

1. Petitioner impugns termination order dated 10.03.2022 whereby petitioner has been terminated the service of the petitioner on the ground that he has been declared unfit for the post of Constable (GD) by the Medical Board constituted at Referral Hospital, ITBP, Greater Nodia.



2. By order dated 04.10.2023, this Court had directed that petitioner be examined at Base Hospital of the Army at Delhi Cantt. The Board to be constituted at Base Hospital was directed to examine the vision of the petitioner and to ascertain whether petitioner's eye sight is 6/6 without correction and as to whether he suffers from any form of colour blindness.
3. Petitioner thereafter was examined by the Board of Officers constituted at the Base Hospital of the Army, Delhi Cantt. The Board of Officers by their report dated 07.11.2023 have opined that petitioner does not have any refractive error and has normal colour perception. His distant vision in both eyes has been reported as 6/6 aided. The report dated 07.11.2023 in original has been produced and copy of the same has been taken on record.
4. Since petitioner has been found to be medically fit, the impugned order dated 10.03.2022 is not sustainable, the same is consequently quashed. Petitioner is directed to be reinstated in service with all consequential benefits of seniority and continuity of service.
5. Petition is allowed in the above terms.
6. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

MANOJ JAIN, J

NOVEMBER 10, 2023

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