



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.1637/2024

Saurabh s/o Suresh Junghare Vs. The Union of India and others.

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. P.S.Sahare, Advocate for petitioner.

Mr. V.A.Bramhe, Advocate for respondent nos.1 to 4.

CORAM : NITIN W. SAMBRE & ABHAY J. MANTRI, JJ.

DATE : JULY 16, 2024.

P.C.

Heard.

2. After the petitioner qualified written examination and Physical Efficiency Test and/Skill and Trade Test, he was disqualified for the post of Constable (Cook) on the count that due to Keloid.

3. The High Court at Chandigarh in Civil Writ Petition No.361/2021 in the matter of Ramesh Kumar Vs. Union of India and others, decided on 24th November, 2023 based on the judgment of this Court in the matter of Hardik *Rameshkumar Vaghela V. Union of India Through Secretary and others in Writ Petition No.1991 of 2019, dated 1.4.2021* has ruled that a candidate cannot be disqualified due to Keloid.

4. The only reason given for declaring the petitioner unfit is due to Keloid and as such the reasons cited cannot be said to be germane to the cause for rejection of the candidature of the petitioner.

5. That being so, it is ruled that the issue is squarely covered by the judgment referred above in the matter of *Ramesh Kumar Vs. Union of India and others (supra)*.

6. As such, the order impugned is hereby quashed and set aside. The writ petition stands allowed in terms of prayer clause (ii.a) of the petition.

7. The appropriate decision be communicated to the petitioner within eight weeks.

8. The petitioner, if found otherwise qualified, appointment order can be issued as already post is directed to be kept vacant by an interim order.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)