



2024:DHC:10078-DB



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

Date of decision: 24.12.2024

+ W.P.(C) 17988/2024

KARTHIK KUMAR A

.....Petitioner

Through: Advocate. (appearance not given)

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ashish K. Dixit, CGSC,
Mr. Shivam Tiwari, Mr. Gokul
Sharma, Mr. Sandeep
Chaudhary, Advocates for R-1
& 3.
Mr. Ravinder Agarwal, Mr.
Lekh Raj Singh, Mr. Manish
Kumar Singh, Advocates for R-
2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

CM APPL. 76536/2024 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 17988/2024 & CM APPL. 76537/2024

2. This Writ Petition is filed by the petitioner challenging the report of the Review Medical Examination dated 17.12.2024 by which the petitioner has been declared unfit for appointment to the post of



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Assistant Commandant (Group A) in the Central Armed Police Forces (CAPF), on the ground of him suffering from '*vitiligo on the glans penis and distal shaft*'.

3. The learned counsel for the petitioner, placing reliance on the report of the Osmania General Hospital/Medical College, Hyderabad, Telangana, submits that though the petitioner was found suffering from '*Mucosal Vitiligo (Stable over glans)*', it has been further opined that "*vitiligo is not an infectious disease nor a contagious disease (does not spread to others).*" He further submits that in other Armed Forces a candidate is not disqualified when found to be suffering from vitiligo in covered parts. He submits that in the present case the petitioner was found suffering from vitiligo over glans penis and distal shaft, which are covered parts, therefore, he should not have been disqualified from the said appointment.

4. Issue notice. Notice has been accepted on behalf of respondent by Mr. Ashish K. Dixit, Advocate.

5. He submits that in terms of the '*Revised uniform guidelines for recruitment medical examination for recruitment of GOs and NGOs in the CAPFs & AR*' for Review Medical Examination dated 20.05.2015, which was also applicable to the advertisement in question, vitiligo *per se* has been made a ground for disqualifying the candidate. He submits that the petitioner, therefore, cannot rely upon the Medical Guidelines that may be applicable to other services. He places reliance on the judgment of this Court in *Ajay v. Union of India*, NC:2022:DHC:549-DB.



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6. We have considered the submissions made by the learned counsels for the parties.

7. The Medical Guidelines of 2015 which were applicable to the advertisement in question *inter alia* states as under:-

“6.GENERAL GROUNDS FOR REJECTION

xxxxxx

19) Chronic skin disease like vitiligo, Leprosy, SLE, Eczema, Chronic extensive Fungal dermatitis.”

8. In view of the above, it is clear that the disease of vitiligo is an absolute reason for the rejection of the candidature. Merely because in other Armed Forces the disqualification is further qualified or whittled down, it cannot be a ground to import that condition into the present recruitment process. The respondent, in fact, is bound to scrupulously follow the advertisement and the conditions laid down therein. Applying which, the petitioner has been rightly rejected from being considered for the said post.

9. Accordingly, we find no merit in the present petition and the same is dismissed.

NAVIN CHAWLA, J

SHALINDER KAUR, J

DECEMBER 24, 2024/KG/sk/as

Click here to check corrigendum, if any