

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4810 OF 2025**

Prashant Popat Vanmore	...Petitioner
<u>VERSUS</u>	
Union of India and Ors.	...Respondents

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Mr. Parag Tilak, Advocate for the Petitioner.

Mr. Y. S. Bhate a/w Mr. Manish Kelkar, for the Respondents (UOI).

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**CORAM : M. S. KARNIK &
N. R. BORKAR, JJ.**

DATE : 30.07.2025

ORDER : [PER N. R. BORKAR J.]

1. On 15.03.2023, respondent no.2 published an advertisement inviting applications for filling the post of constable (technical/tradesman) Central Reserve Police Force.

2. Pursuant to the said advertisement on 14.04.2023, the petitioner submitted his online application for the post of constable (driver).

3. On 06.07.2023 the petitioner appeared for a computer-based test conducted by respondent No.2. Based on the marks secured by the petitioner in the said test, his name was included in the list of the candidates qualified for Physical Standard Test, Physical Efficiency

Test and Trade Test.

4. On 19.11.2024, the respondents conducted the Physical Standard Test, Physical Efficiency Test and Trade Test of the petitioner. On the very same day the respondents conducted a medical examination of the petitioner. During the medical examination of the petitioner a scar mark with tattoo ink (5x2 inches) was observed on his right forearm. The respondents thus declared him unfit for the post. The petitioner has impugned the said action of the respondents in the present petition.

5. We have heard learned counsel for the petitioner and learned counsel for the respondents.

6. The learned counsel for the petitioner submits that the case of the petitioner is squarely covered by the decisions of this Court in **Jitendrakumar s/o Mohanlal Yadav v.s Union of India and Ors.** in Writ Petition No. 7251 of 2022 decided on 27.03.2023 and **Roshan Suresh Tandekar v.s Union of India and Ors.** in Writ Petition No. 273 of 2025 decided on 30.01.2025. It is submitted that petitioners in the said petition were also declared unfit on the ground of having tattoo on right forearm.

It is submitted that this Court has quashed the said declaration of unfitness.

7. On the other hand, the learned counsel for the respondents supported the impugned action. It is submitted that tattoos on saluting limb are not permissible.

8. We have perused the decisions of this Court in **Jitendrakumar s/o Mohanlal Yadav v.s Union of India and Ors. and Roshan Suresh Tandekar v.s Union of India and Ors.** In our view, the present case is squarely covered by the said decisions. We, therefore, quash the impugned action of the respondents and direct them to issue appointment order to the petitioner if he is otherwise qualified and eligible on the basis of performance in the recruitment test within a period of four weeks from the date of receipt of copy of this order. We clarify that the petitioner shall not be entitled to any other benefits, including the deemed date of seniority. The petition is allowed in the aforesaid terms.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)