



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

**WRIT PETITION NO. 420 OF 2025**

**Shri Ganesh s/o Panjabrao Sarnaik,**  
Aged 22 yrs. Occ:- Unemployed,  
R/o Post Mohoja Road, Mohaja Pr.  
Washim Maharashtra-444505

**.... PETITIONER**

**// V E R S U S //**

1. **Union of India, through**  
Secretary Ministry of Home Affairs,  
North Block New Delhi-110001
2. **Staff Selection Commission,**  
Block No.12, CGO Complex,  
Lodhi Road, New Delhi-110003
3. **Directorate General, CRPF**  
(Recruitment Branch)  
East Block- 07, Level-4, Sector-01,  
R.K. Puram, New Delhi-110066  
(Ministry of Home Affairs)
4. **Presiding Officer (Second in Command)**  
STC BSF Chakur, Distt. Latur,  
Maharashtra-413513
5. **Commandant, STC BSF Chakur,**  
Distt.- Latur, Maharashtra-413513
6. **Medical Officer, AC/MO BSF Latur**  
STC BSF Chakur, Distt.-Latur,  
Maharashtra-413513
7. **Review Medical Board,**  
Through its  
Commnd/Chief Medical Officer  
SG CH Nagpur, PO RME Rectt. Board,  
CT GD 2024 GCCRPF, Nagpur
8. **Presiding Officer, SG CH Nagpur,**  
PO RME, Rectt. Board,  
CT GD 2024 GC CRPF, Nagpur

**.. RESPONDENTS**

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Mr. Gaurav Dhage, Adv. h/f Mr. V.V. Kotapalliwar, Advocate for petitioner.  
Ms Ashwini S. Athalya, Advocate for respondent Nos.1, 3 to 8.  
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**CORAM : NITIN W. SAMBRE AND**  
**SACHIN S. DESHMUKH, JJ.**  
**DATE : 24.06.2025**

**J U D G M E N T : ( Per:- SACHIN S. DESHMUKH, J)**

1 Rule. Rule made returnable forthwith. Heard finally  
by the consent of learned counsel appearing for the litigating sides.

2 The solitary challenge raised in the present petition is  
to the communication dated 28.09.2024 issued by respondent  
No.3 holding the petitioner as unfit on account of existence of scar  
on his right forearm, on the ground that there is no such  
disqualification mentioned for participating in the employment  
under CAPFs or forces recruitment under the advertisement dated  
24.11.2023.

3 It is the submission on behalf of the learned counsel  
for the petitioner that, as per the advertisement, viz, the  
recruitment Rules, notice for the examination for Constable (GD)  
in Central Armed Police Forces (CAPFs), SSF, and Rifleman (GD)

in Assam Rifles Examination, 2024, it does not contain any stipulation with regard to disqualification on account of the scar. Learned counsel for the petitioner also undertakes to make efforts to avail such medical treatment under the supervision of the experts for getting the tattoo removal scar effaced so that the petitioner can satisfy all the conditions to present himself as a suitable candidate.

4 According to the petitioner, the said issue is no more *res-integra* and the said view is consistently followed by this Court in following judgments:

*1] Shubham Sharma Vs. Union of India and Ors. [Writ Petition (C)15302/2022 & CM APPL.4748/2022(stay).*

*2] Vineet Kumar Meena Vs. Union of India and Ors. [Writ Petition (C)16030/2022 & CM APPL.50007/2022(for stay).*

*3] Akshay Choudhary Vs. Union of India and Ors. [Writ Petition (C)5602/2024.*

*4] Bhimrao Shamraoji Surve Vs. Union of India and Ors. [Writ Petition 5551/2017].*

*5] Sangharsh Tukaram Lonekar Vs. Union of India and Anr. [Writ Petition No.9061/2017]*

*6] Shubham Sharma Vs. Union of India and Ors. [Writ*

*Petition (C)15302/2022 & CM APPL.4748/2022(stay).*

*7] Union of India and Ors. Vs. Sanyogita [D.B. Spl.Writ No.414/2024].*

*8] Shridhar Mahadeo Pakhare Vs. Union of India and Ors. [Writ Petition No.10026/2017]*

*9] Hardik Rameshkumar Vaghela Vs. Union of India and Ors. [Writ Petition No.1991/2019]*

*10] Saurabh S/o. Suresh Junghare Vs. The Union of India and Ors. [Writ Petition No.1637/2024].*

As such prayed for allowing the petition.

5 Per contra, learned counsel for the respondents submitted that since the scar owing to tattoo is on the right arm which is a saluting arm, as such, the Board is justified in declaring the petitioner as unfit.

6 Having considered the submissions put forth by the litigating sides, the respondents are not able to demonstrate their justification for declaring the petitioner as unfit because of a scar due to tattoo removal, although it is on the saluting arm.

7 Apart from the aforesaid aspect, the issue is no more *res-integra* in the light of various decisions rendered in aforesaid

petitions by Co-ordinate Benches of this Court, as these are consistently followed. Nevertheless, absence of any justifiable reason to declare the petitioner unfit, does not stand to reason. As such, following the statement of law rendered by the Co-ordinate Division Benches of this Court, we are of the considered view that the petition deserves to be allowed by declaring the petitioner as qualified for the recruitment process undertaken by the respondents herein.

8           We further declare that the petitioner is a qualified candidate and does not incur any disqualification on account of having tattoo removal scar on his right forearm.

9           We further make it clear that all reasonable steps will have to be taken by the petitioner to remove the tattoo scar, if it is medically advisable within a reasonable time period.

10          We further make it clear that the claim of the petitioner may be considered by the respondents herein for the selection in the recruitment only, if the petitioner is otherwise qualified on merit.

11. Writ Petition stands allowed in the aforesaid terms and disposed of with no order as to costs.

12. Rule made absolute in the above terms.

(SACHIN S. DESHMUKH, J) (NITIN W. SAMBRE, J.)

Manisha