



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

WRIT PETITION NO. 7027 OF 2024

Saurabh S/o. Baburao Bhagat Vs. Union of India and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P. S. Wathore, Advocate for petitioner.
Shri C. J. Dhumne, Advocate for respondents.

**CORAM :- M. S. JAWALKAR &
M. W. CHANDWANI, JJ.**

DATED :- 10.06.2025

Heard.

2. The petitioner's candidature in the matter of recruitment on the post of Constable (GD) in Central Armed Police Forces (CAPFs), SSF and Rifleman (GD) in Assam Rifles Examination, 2024 came to be disqualified on the ground that the petitioner is having a non-healed tattoo scar mark on the right forearm. Such decision was taken on 05.10.2024.

3. It is claimed that the said disqualification based on the aforesaid ground has prompted the petitioner to apply for Review Medical Examination. On 09.10.2024 after Review Medical Examination, the petitioner was declared unfit for the selection to the post of Constable (GD).

4. The counsel for the petitioner so as to claim that non-healed tattoo scar mark will not act as an impediment for consideration of his candidature and urged that the issue is already decided in the catena of the judgments, details of which are as under:

Sr. No.	Case No.	Name of Parties	Decided on
1.	W.P. No. 5273 of 2024	Nikhil Ishwar Karde vs. Union of India.	11.12.2024
2.	W.P. No.10026 of 2017	Shridhar M. Pakhare vs. Union of India.	30.01.2018
3.	W.P. No.1991 of 2019	Hardik Rameshkumar Waghela Vs. Union of India.	21.02.2019
4.	W.P. No.1637 of 2024	Saurabh S. Junghare Vs. Union of India	16.07.2024
5.	W.P(MD) No. 16282 of 2020	K.M.Manojkumar Vs. The Secretary, S.S.C. & others.	01.04.2021
6.	C.W.P. No.361 of 2021	Ramesh Kumar vs. Union of India.	24.11.2023

5. Mr. Dhumane, learned counsel appearing for the respondents would try to justify the decision based on the recruitment guidelines as, according to him, there is an express bar provided in the recruitment conditions.

6. In view of the judicial pronouncements referred above, we are not required to adjudicate the issue as the issue is squarely covered by the decisions referred to herein-above.

7. That being so, the impugned communication is hereby quashed and set aside. The Writ Petition stands allowed.

8. We direct the respondents to consider the candidature of the petitioner on its own merits and the same should not be disqualified for the reason based in the communication impugned.

9. Let the decision be taken within a period of four weeks from the date of production of copy of this order.

(M. W. CHANDWANI, J.)

(M. S. JAWALKAR, J.)