



2025:DHC:211-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 15.01.2025

+ W.P.(C) 508/2025
MANDEEP KUMARPetitioner
Through: Counsel (Appearance not given)

versus

UNION OF INDIA & ORS.Respondents
Through: Mr.Sushil Raaja, SPC
Mr.Gopesh Jindal, Ms.Anjali,
Adv. for UOI

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

CM APPL. 2368/2025 (Exemption)

1. Allowed, subject to all just exceptions.

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2. This petition has been filed by the petitioner, praying for a direction to the respondents to constitute a Medical Board for determining the medical fitness category of the petitioner.

3. It is the case of the petitioner that the petitioner joined the Railway Protection Force as a Constable on 01.08.2015. On 09.06.2024, he suffered a crush injury on the right foot from a running train at the Kishan Ganj Railway Station, Delhi, and was subsequently issued a Disability Certificate dated 05.11.2024, which certifies as under:



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*“LOCOMOTOR DISABILITY=25% +
PLASTIC & SURGERY DISABILITY=8%
(LESS THAN 40%) AS PER GOVT
GUIDELINES IN CAES OF MULTIPLE
DISABILITY IF DISABILITY LESS THAN
25%= NOT ADD & IF DISABILITY FOUNDS
LESS THAN 40% DISABILITY CERTIFICATE
NOT ISSUED”*

4. The petitioner asserts that the petitioner was thereafter examined at the Northern Railway Central Hospital, Basant Lane, Paharganj, Delhi, where it was directed that the petitioner be examined by an Integrated Medical Board. However, the Medical Board has not been constituted till now.

5. Issue notice.

6. Notice is accepted by Mr.Sushil Raaja, the learned counsel, on behalf of the respondents.

7. Keeping in view the nature of the relief prayed, we direct the respondents to constitute a Integrated Medical Board for assessing the medical status/fitness category of the petitioner, within a period of four weeks from today. The Medical Board shall keep in view the medical documents that have been filed by the petitioner along with the present petition, or any additional document that the petitioner may produce before it, before rendering its final opinion.

8. We clarify that we have not expressed any opinion on the merit of the averments made by the petitioner in the petition, and it shall be open to the Medical Board/respondents to decide the same. In case the petitioner is aggrieved of the order passed by the respondents, it shall be open to the petitioner to challenge the same in accordance with



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law.

9. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

SHALINDER KAUR, J

JANUARY 15, 2025/sg/DG

Click here to check corrigendum, if any