



2025:DHC:10529-DB



\$~101

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

+ **W.P.(C) 17796/2025 & CM APPL. 73554/2025**

DEEPAK

.....Petitioner

Through: Mr. Abhinay Sharma and Ms.
Parul Khurana, Advs.

versus

INDIAN COAST GUARD & ORS.

.....Respondents

Through: Mr. Shaurya R. Rai, SPC and
Mr. Venkat Mani Tripathi, GP

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

%

24.11.2025

C. HARI SHANKAR, J.

1. An advertisement was issued by the Indian Coast Guard¹ on 11 February 2025 for recruitment to the post of Navik (Domestic Branch) for Batch 02/2025. The petitioner applied for the said post. That he is qualified for the post is not in dispute.

2. The petitioner qualified Stage I and II of the selection process. At Stage II, he also underwent an Initial Medical Examination² in which he was declared fit, as per result dated 25 August 2025. He was

¹ "ICG" hereinafter

² "IME" hereinafter



2025:DHC:10529-DB



issued a provisional admit card to appear in Stage III for which he had to report at INS Chilika on 9 September 2025.

3. In his medical examination at Stage III, which took place on 9 September 2025, he was declared unfit on the ground that he had a Left Accessory Nipple. An Appeal Medical Examination was conducted on the next date i.e., 10 September 2025, which concurrently found the petitioner to be suffering from the said disability.

4. On that basis, the petitioner was disqualified from participating in the further selection process for Batch 02/2025.

5. In the meanwhile, a fresh advertisement was issued by the ICG for Batches 01/2026 and 02/2026 on 11 June 2025. The petitioner applied for recruitment against these batches as well.

6. Mr. Abhinay, learned Counsel for the petitioner submits that in the selection process for the aforesaid batches 01/2026 and 02/2026, the petitioner has again progressed up to Stage II in which he has been declared medically fit. Admittedly, Stage III of the selection process for batches 01/2026 and 02/2026 is yet to take place.

7. The petitioner has, in these circumstances, instituted the present writ petition, challenging the decision of the respondents to declare him as unfit from further taking part in the selection process for Batch





2025:DHC:10529-DB



02/2025, following his declaration as being medically unfit on the ground that he has a Left Accessory Nipple.

8. We have heard Mr. Abhinay, learned Counsel for the petitioner and Mr. Shaurya R. Rai, learned SPC for the respondent at some length.

9. Mr. Abhinay has advanced various submissions.

10. His first submission is that a mandatory 21-day period was required to be maintained between the medical examination and the Appeal Medical Examination which took place at INHS Nivardini on 9 September 2025.

11. By holding the Appeal Medical Examination, the very day after the medical examination was conducted, Mr. Abhinay submits that the applicable guidelines have been violated.

12. For this purpose, Mr. Abhinay has drawn our attention to Clause 6(b)(iv) of the advertisement relating to Batch 02/2025, which read thus:

“(iv) Recruitment Medical Examination. The Recruitment Medical Officer will assess the candidates for medical fitness as per laid down medical standards and declare them fit or unfit. Candidates who are found medically unfit in Recruitment Medical Examination and who wish to appeal will be immediately referred to any designated military hospital (allocated by ICG). Such candidates are to report to the designated Military Hospitals



(allocated by ICG) within a maximum period of 21 days from the date of completion of recruitment medical examination which has declared them unfit. The appeal medical examination will be considered as final and the candidate will have no right for further appeal at any other or same hospital again.

Note: (aa) Candidates declared fit in recruitment medical examination at Stage-II recruitment centre, may be disqualified in document verification during the further scrutiny of the documents by ICG as the document verification is carried out at multiple stages of recruitment procedure even after the conduct of Stage-II prior publishing the final merit/ result as mentioned in para 13(ak) below.

(ab) The Recruitment Medical Officer and the specialist doctors of Armed Forces Hospitals (allocated by ICG) are the final authorities on declaring a candidate fit or unfit during recruitment medical examination, appeal medical examination and medical examination prior to enrolment.

(ac) Candidates who qualify all tests of stage-II will be considered for preparation of final merit list for Stage-III.”

13. We do not find, in Clause 6(b)(iv) to substantiate the submission advanced by Mr. Abhinay. What Clause 6(b)(iv) stipulates is that once the candidate is found medically unfit in the Recruitment Medical Examination³, if such candidate desires to appeal against such decision, *he has to report at the designated medical hospital within a maximum period of 21 days.*

14. Thus, 21 days is the *maximum period* stipulated for the decision by the Appeal Medical Board. There is no minimum period stipulated.

³ “RME” hereinafter



15. An Appeal Medical Board is not intended, essentially, to enable a candidate to cure his disability.

16. No doubt, if the disability is curable, it is open to the respondents to permit the candidate, within a reasonable period, to do so. However, there is no hard and fast rule to the effect that the candidate who has once been found disqualified on account of a medical ailment or infirmity, should be given time to set that infirmity right.

17. Mr. Abhinay further places reliance on Coast Guard Headquarters Policy Letter 001/2024 dated 12 January 2024, of which a copy has been handed over across the bar.

18. He has particularly, cited Clause 4(a), thereof which read thus:

“4 **Pre-enrolment Medical Formalities at INS Chilika.** After the candidate reports to the training establishment (INS Chilika), verification of their identity will be done through necessary biometric/other authentication modalities as per the extant regulation on recruitment process. The modality of pre-enrolment medical formality will depend on the time gap between the date of initial medicals Stage-II and date of reporting as mentioned in the E-admit card of the candidate to the training establishment at INS Chilika, is appended below:-

(a) **Reported Within Three Months.** A self-declaration as per the prescribed format (Enclosure 2) will be signed by the candidate and countersigned by the Medical Officer at INS Chilika. No medical examination is required to be conducted, unless the medical officer has any suspicion or any obvious reason to conduct the same, if any.”



2025:DHC:10529-DB

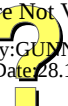


19. We regret to observe that Clause 4(a) of the aforementioned ICG HQ Policy Letter 001/2024 can also not come to the aid of the petitioner. All that the said clause states that if the petitioner reports for the pre-enrolment medical formalities within three months of having cleared Stage II, a self-declaration would be required to be signed by the candidate and no medical examination *is required to be conducted* unless the Medical Officer has any suspicion or obvious reason to conduct the medical examination.

20. To our mind, this clause does not engraft an absolute proscription on conducting of a RME at Stage III if the candidate reports within three months of having undertaken a medical examination at Stage II.

21. Even otherwise, once a RME has, in fact, been conducted in the case of the petitioner at Stage III and there are concurrent reports stating that he has a Left Accessory Nipple, which is admittedly a disqualification for entry into the ICG, we do not see how it can lie in the mouth of the petitioner to argue that such a medical examination was not required to be conducted. The results of the RME cannot be wished away.

22. Mr. Abhinay has also laid stress on the fact that he was cleared at Stage II without any medical infirmity being found. He also points out that, for the next batch of 01/2026 and 02/2026, the petitioner has





2025:DHC:10529-DB



again been cleared at Stage II. Thus, he submits that there is a discrepancy in the medical opinion taken at Stage II and Stage III.

23. If the argument of Mr. Abhinay is accepted, it would set at naught the requirement of having a medical examination at Stage III.

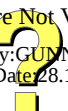
24. The policy is not under challenge. The policy envisages medical examination of the candidate at Stage II and Stage III by way of RME. As such, the finding of the medical examination at Stage II cannot be treated as sacrosanct.

25. Besides, there is no specific finding by the medical examination of the petitioner even at Stage II that he does not possess any Accessory Left Nipple. It cannot be said that there is any clear discordance between the result of the petitioner's medical examination at Stage II or Stage III.

26. The petitioner having not been able to clear the medical examination at Stage III for the Batch 02/2025 and there being concurrent medical reports against him, this Court, is unable to come to the aid of the petitioner, in view of the law laid down by us in *Staff Selection Commission v. Aman Singh*⁴, which follows an earlier Division Bench in *Km. Priyanka v. Union of India*⁵.

⁴ 2024 SCC Online Del 7600

⁵ 2020 SCC Online Del 1851





2025:DHC:10529-DB



27. As we have noted, the petitioner has cleared Stage II for the Batch 01/2026 and 02/2026. He has yet to undergo the RME at Stage III of the said Batch. It would always be open to him to take his chance in Stage III of the Batch of 01/2026 and 02/2026.

28. In case, the petitioner has cleared the RME in Stage III of the Batch 01/2026 and 02/2026, the findings which were returned against him in Stage III of the Batch 02/2025 would not operate against him. That is the maximum that we can give to the petitioner.

29. Subject to the aforesaid caveat, the writ petition is dismissed.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

NOVEMBER 24, 2025/rjd