

Form No. J(2)

Item No. DL / 14

RKD – A.R.(CT)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. NO 28705 OF 2025

Rahul Bari

-Vs-

Union of India & Ors.

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner : Mr. Debasish Kundu

For the union of India : Mr. Ram Chandra Agarwal,
Mr. Tapan Bhanja

Heard concluded on : 02.01.2026

Judgment On : 02.01.2026

SAUGATA BHATTACHARYYA, J.:

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner participated in the selection process for being appointed as Constable (GD) in Central Armed Police Forces (CAPFs).

3. In Detailed Medical Examination petitioner was declared medically unfit on the ground of presence of tattoo on right forearm and on right flat foot.
4. On relying upon a document at page 23 of the writ petition, it is submitted that petitioner removed tattoo by laser therapy on attending JNM Hospital, Kalyani, Nadia. It is submitted since petitioner removed tattoo from two parts of his body he should have been declared medically fit in Review Medical Examination.
5. Writ petition is opposed by the learned advocate representing Union of India and it is submitted that tattoo was removed on 6th December, 2025 since supporting medical document was issued by JNM Hospital on 6th December, 2025 whereas Detailed Medical Examination was conducted on 3rd December, 2025.
6. This Court finds substance in the submission made on behalf of the Union of India as there is no averment in the writ petition as to when tattoo was removed from two different parts of the body of the petitioner.
7. In absence of specific case is made out in the writ petition relating to date of removal of tattoo Court has to proceed on the basis of a document which is at page 23 of the writ petition wherefrom it appears that tattoo was removed on 6th December, 2025 by laser therapy. Whereas Detailed Medical Examination was conducted on

3rd December, 2025 and Review Medical Examination was conducted on 6th December, 2025.

8. Therefore, it appears that on the date i.e. 3rd December, 2025 when Detailed Medical Examination was conducted petitioner had tattoo and he tried to remove tattoo before Review Medical Examination as the petitioner preferred review before the concerned authority questioning Detailed Medical Examination Report. Such conduct of the petitioner is not countenanced.
9. Health condition of the petitioner including tattoo marks on different parts of the body of the petitioner needs to be assessed considering the situation which was existing on the date of Detailed Medical Examination and same was conducted on 3rd December, 2025. If there is an anomaly in Detailed Medical Examination candidate has a right to prefer review before the concerned medical board but removal of tattoo after Detailed Medical Examination and prior to Review Medical Examination in pursuit of being declared medically fit is found to be not permissible.
10. Hence, writ petition stands dismissed.
11. However, there shall be no order as to costs.
12. Urgent photostat certified copy of this judgment, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)