



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

WRIT PETITION NO.8201 OF 2025

PUNIT S/O NILESH BANOTE VS UNION OF INDIA, THR. MINISTRY OF
PERSONNEL, PUBLIC GRIEVANCES AND PENSION, NEW DELHI AND ORS.

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

Court's or Judge's orders

Mr. A.A. Kathane, Advocate for the petitioner/s
Mr. S.A. Chaudhari, Advocate for the respondent Nos.1 to 4

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 20.02.2026

1. Heard.

2. The petitioner, feeling aggrieved by the alleged arbitrary disqualification of his candidature during the medical examination conducted in connection with the recruitment process for the post of Constable (GD) by respondent No.3, has preferred the present petition.

3. It is the case of the petitioner that the All India Institute of Medical Sciences (AIIMS), Nagpur in its report dated 17.11.2025, has recorded following observation:

*"THE PRESENT CONDITION DOES NOT REQUIRE
ANY SURGICAL MANAGEMENT OR HAMPER IN
FITNESS ISSUES".*

4. However, the Review Medical Examination Board in its report dated 18.11.2025, has declared the petitioner as 'unfit'.

5. According to the petitioner, the reason for unfit as per the Review Medical Examination Board report is due to

presence of small *Rudimentary Nipple* on his chest.

6. It is tried to canvassed before this Court that as per the Guidelines for Recruitment Medical Examination in Central Armed Police Forces and Assam Rifles, as on May-2015, the clause (6) relating to chest does not disqualify any candidate on the reason as stated in the report of the Review Medical Examination Board.

7. It is contended that the deformities noted in the report of the Review Medical Examination Board dated 18.11.2025 are merely cosmetic in nature and do not in any manner impede or adversely affect the petitioner's ability to discharge his official duties efficiently.

8. On careful consideration of the submissions advanced by the learned counsel for the petitioner, we are of the view that, in the presence of two medical certificates, one issued by AIIMS, Nagpur and the other by the Review Medical Examination Board, which are contradictory to each other, it would not be appropriate for this Court, lacking medical expertise, to determine which of the two certificates deserves acceptance.

9. However, *prima facie*, we find substance in the contention of the learned counsel for the petitioner that, as per the applicable guidelines referred to herein above, the ground cited by the Review Medical Examination Board in its report dated 18.11.2025 does not appear to be prescribed as a disqualification.

10. Thus, we are of the considered opinion that it would be in the interest of justice to direct the respondents to constitute a Review Medical Examination Board and reassess the medical eligibility of the petitioner. Accordingly, we pass the following order:

11. The impugned report dated 18.11.2025 issued by the Review Medical Examination Board is hereby quashed and set aside. The respondent Nos. 3 and 4 are directed to constitute a fresh Review Medical Examination Board to reassess and determine the petitioner's medical eligibility in accordance with law.

12. Such exercise shall be done and completed within four weeks from today.

13. It is expected that, in the event the Review Medical Examination Board does not agree with the opinion expressed by the AIIMS, it shall record specific and cogent reasons for such disagreement.

14. Mr. S.A. Chaudhari, learned counsel for the respondent No.1 to 4 undertakes to communicate this order to the respondents.

15. The decision taken shall be communicated to the petitioner within one week from the date of such decision.

16. In the above terms, the petitioner is disposed of. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)