



2026:DHC:4155-DB



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

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Date of Decision: 05.05.2026

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W.P.(C) 2380/2023

DHANSHRI SHIVJI KAPASE

.....Petitioner

Through: Mr.Adv.[Appearance not given]

versus

STAFF SELECTION COMMISSION & ANR.

.....Respondents

Through: Mr. Balendu Shekhar, CGSC
along with Mr. Krishna
Chaitanya, Mr. Rajkumar
Maurya and Mr. Divyansh
Singh Dev, Advs. and Mr.
Vinod Sawant, LO, Mr. Ajay
Pal, LO, Inspector Athurv and
Mr. Ramniwas Yadav – CRPF.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

J U D G M E N T (O R A L)

ANIL KSHETARPAL, J.:

1. Through the present Writ Petition, the Petitioner assails the order dated 29.06.2021, whereby the offer of appointment for the post of Constable/GD in the Central Reserve Police Force (CRPF) issued to the Petitioner was cancelled on the ground of medical unfitness, and also seeks issuance of a direction to the Respondents to permit her to join the said post.

2. The facts lie in a narrow compass. Pursuant to the recruitment

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W.P.(C) 2380/2023

Page 1 of 8



2026:DHC:4155-DB



process conducted by the Staff Selection Commission for Constable/GD in CAPFs Examination, 2018, the Petitioner had appeared in the examination and thereafter in the Physical Standard Test/Physical Efficiency Test and cleared the same. She was then subjected to a Detailed Medical Examination in January, 2020 and was declared medically fit. Thereafter, the Petitioner was provisionally selected and allotted to the CRPF. The offer of appointment to her came to be issued in February, 2021, requiring her to report at Group Centre, CRPF, Bengaluru on or before 15.03.2021.

3. The Petitioner accordingly reported at the Group Centre, CRPF, Bengaluru on 15.03.2021. Upon reporting at the Group Centre, the Petitioner was required to undergo a fresh medical examination by the CRPF medical authority. In the fresh medical examination conducted on 22.03.2021, the Petitioner was declared medically unfit due to tachycardia and coarse tremors. Thereafter, she was examined by a Review Medical Board (RMB) at Composite Hospital, CRPF, Bengaluru. The RMB declared her medically unfit due to hyperthyroid state. Consequent thereto, the offer of appointment issued to the Petitioner was cancelled vide order dated 29.06.2021.

4. Learned counsel for the Petitioner submits that the Petitioner had already earlier been subjected to the Medical Examination on 21.01.2020 during the recruitment process and had been declared medically fit, and upon reporting to the Group Centre, the Petitioner remained with the Force for about 107 days, and that, as it was during the Covid-19 pandemic, candidates were also required to undergo quarantine for an initial period of 50 days. On this basis, it is urged



2026:DHC:4155-DB



that the Petitioner had substantially joined the Force and the subsequent cancellation of the offer of appointment is arbitrary.

5. It is further submitted that the Petitioner subsequently obtained a medical certificate from Belagavi Institute of Medical Sciences, which shows that she was fit to perform her duties with regular thyroid checkups. It is, therefore, submitted that the Respondents ought to have reconsidered the matter, afforded the Petitioner another opportunity for medical examination and permitted the Petitioner to join the Force.

6. *Per contra*, learned counsel for the Respondents submits that the Petitioner was only provisionally selected. The offer of appointment itself made it clear that her appointment was subject to medical fitness to be assessed by the appropriate medical authority of CRPF upon her reporting at the Group Centre, and the earlier Detailed medical examination (DME) on 21.01.2020 was valid only for a period of one year. The Petitioner was required to undergo fresh medical examination after the expiry of the said period after reporting to the Group Centre (GC), Bengaluru. After reporting to the GC on 15.03.2021, in the fresh medical examination held on 22.03.2021, the Petitioner was declared unfit due to tachycardia and coarse tremors. Thereafter, she was examined by a Review Medical Board (RMB) in the last week of May 2021 at Composite Hospital, CRPF, Bengaluru, which declared her unfit due to hyperthyroid state.

7. The Respondents further submit that the Review Medical Board consisted of medical specialists and that the Board recorded objective



2026:DHC:4155-DB



medical findings before declaring the Petitioner unfit. It is, therefore, submitted that no case is made out for interference in exercise of jurisdiction under Article 226 of the Constitution of India.

8. The only issue which arises for consideration is whether, in the facts of the present case, the cancellation of the Petitioner's offer of appointment, based on the fresh medical examination and the opinion of the Review Medical Board declaring her unfit for recruitment to CRPF, warrants interference by this Court.

9. The offer of appointment provides that the Petitioner's appointment would be subject to medical fitness to be assessed by the appropriate medical authority of the department on her reporting at the Group Centre. It further provides that, if the earlier recruitment medical examination was not within one year from the date of reporting, the candidate would be examined by a CRPF Medical Officer for any disease or deformity which might have arisen after the recruitment medical examination. The appointment order was to be issued only if the candidate was declared fit in the fresh medical examination.

10. The Directorate General, CRPF instructions dated 07.04.2014 also contemplate fresh medical examination where the gap between the date of medical examination and the date of appointment is more than one year.

11. It is evident that recruitment to the Force required the candidate to be medically fit at the point of entry into service, and not merely on an earlier date during the recruitment process.

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2026:DHC:4155-DB



12. The earlier Detailed Medical Examination was conducted in January 2020. The Petitioner reported at the Group Centre on 15.03.2021. The period of one year had, therefore, expired. The CRPF was justified in directing the Petitioner to undergo a fresh medical examination.

13. In the fresh medical examination conducted on 22.03.2021, the Petitioner was declared unfit due to tachycardia and coarse tremors. The Petitioner was thereafter examined by a Review Medical Board at Composite Hospital, CRPF, Bengaluru.

14. The RMB recorded that USG neck (Ultrasonography of the Neck) conducted on 28.05.2021 revealed bulky thyroid lobes with nodularity/septations. It also recorded that Anti-TPO antibodies were 352 IU/ml and that the Petitioner had persistent tachycardia, with heart rate of 142 per minute on several occasions. On the basis of the aforesaid medical findings, the RMB declared the Petitioner unfit due to hyperthyroid state.

15. The law governing interference with medical opinions in recruitment to disciplined forces is well settled. In ***Staff Selection Commission & Ors. v. Aman Singh & connected matters***¹, this Court has held that the principles applicable to recruitment to disciplined forces, such as Armed Forces, Paramilitary Forces or Police, are distinct from those applicable to ordinary civilian recruitment. The standards of fitness and the rigour of examination are necessarily higher.

¹ 2024:DHC:8441-DB



2026:DHC:4155-DB



16. It has also been held in *Aman Singh (Supra)* that there is no absolute bar on judicial review of decisions of Medical Boards or Review Medical Boards. The Court, however, does not sit as an appellate medical authority. Interference may be warranted where there is breach of prescribed procedure, absence of the requisite specialist where the nature of the ailment so requires, disregard of material medical evidence, patent arbitrariness, *mala fides*, or where the assessment otherwise does not inspire confidence.

17. Equally, where the competent medical authorities of the Force have examined the candidate and returned a finding of medical unfitness, the Court would ordinarily proceed on that basis unless the material on record discloses a reason to doubt either the diagnosis or the fairness of the process. The Court must remain circumspect and avoid substituting its own medical opinion for that of the expert bodies constituted for the purpose.

18. Tested on the aforesaid touchstone, this Court finds no ground to interfere.

19. The Petitioner's principal reliance is on the Medical Certificate issued by Belagavi Institute of Medical Sciences on 21.12.2021. The said certificate, however, does not dislodge the opinion of the RMB. It does not record that the Petitioner had been wrongly declared unfit. On the contrary, the certificate itself records that the Petitioner was diagnosed with Graves' disease with hyperthyroidism and the patient was receiving treatment, and had also received radioactive iodine therapy.



2026:DHC:4155-DB



20. At best, the said certificate indicates that with treatment and regular checkups, the Petitioner may gradually achieve the desired thyroid state and may be able to perform duties. That does not answer the actual issue before this Court. The question is not whether the Petitioner's condition could improve subsequently. The question is whether the opinion of the Review Medical Board, as on the relevant date, was arbitrary, perverse, procedurally infirm or contrary to the applicable medical standards. No such infirmity is shown.

21. The submission that the Petitioner had remained with the Force for 107 days also does not advance the Petitioner's case. Even if the said period is accepted, the same cannot be treated as conferring any vested right to appointment. The Petitioner had reported to the Group Centre for completion of joining and medical formalities pursuant to the offer of appointment. The offer of appointment itself stipulated that the appointment would be issued only if the candidate was declared fit during fresh medical examination.

22. It is also significant to note that no *mala fides* have been alleged against the Medical Officer or the members of the RMB. No violation of any mandatory procedure has been established. The RMB recorded medical findings in support of its conclusion of unfitness. The later certificate from an outside hospital cannot override the assessment made by the Medical Board under the applicable recruitment medical standards.

23. In recruitment to disciplined forces, the medical standards are framed keeping in view the nature of duties required to be discharged



2026:DHC:4155-DB



by the personnel. What may be manageable in ordinary civilian life may not necessarily satisfy the standards required for recruitment to a force such as CRPF. The assessment, therefore, has to be made by the medical authorities of the Force, who are aware of the demands of the duties for which the candidate is being recruited.

24. In the absence of perversity, *mala fides*, breach of mandatory procedure, absence of relevant medical expertise or disregard of the governing medical standards, no ground for interference is made out.

25. The Writ Petition is accordingly dismissed.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MAY 5, 2026

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