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

% *Date of Decision : 25.02.2026*

+ W.P.(C) 2629/2026 CM APPL. 12780/2026 CM APPL. 12781/2026

MANISH KUMAR

.....Petitioner

Through: Mr. Abhay Kumar Bhargava, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Lakshay Kaushik, SPC and Mr
Akash Gupta, GP for R-1 and 2
Mr. Neeraj, SPC, UOI and Mr. Rudra
Paliwal, GP, Mr. Soumyadip
Chakraborty, Adv.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

V. KAMESWAR RAO , J. (ORAL)

1. This petition has been filed with the following prayers:

“A. issue a writ of certiorari or any other appropriate writ, order or direction quashing issue an appropriate writ, order, or direction quashing the opinion dated 18.12.2024 of the Review Medical Board, whereby the Petitioner was declared medically unfit.

B. Issue an appropriate writ, order, or direction directing the Respondents, i.e. DG CISF to permit the Petitioner to join the post of Assistant Sub-Inspector through LDCE in CISF, against the existing vacancies in the light of the judgement of Shubham Malik v. Union of India & Ors., W.P.(C) 5708/2025 dated



23.07.2025.

C. Pass any other and further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interest of justice."

2. In effect, the petitioner is challenging the conclusion drawn by the Review Medical Board on 18.12.2024 which opinion reads as under:

"Roll No:- 80727

Name of Candidate:- Manish Kumar

Gender:- Male

Father's Name:- Vinay Kumar

Board Examine individual and referred to surgery OPD GIMS G. Noida case seen by Dr. Atul Kr Gupta Asstt. Prof. Multiple lipoma over both upper limb & over abdomen.

O/E & as opinion of (recruitment guideline CAPF 2015) Page No 32, 33 Para Xii B Sub Para 4(a). it is clear cut mentioned Cysts of such a size or location as to interfere with the proper wearing of combatised equipment is disqualifying. & O/E individual lipoma over right hand size long 5 cm.

UNFIT:- Unfit due to multiple lipomatous swelling over both upper limbs and over abdomen.

Place:- SSG Greater Noida

Date:- 18/12/2024

Member - 1 (RME Board)

Member-2 (RME Board)"

3. The submission of Mr. Bhargava, learned counsel for the petitioner is that the petitioner is already working in the force as a Constable GD and has been discharging his duties to the best of his abilities and without any difficulty. In other words, it is his submission that the condition which has been referred to by the Review Medical Board (RMB) has no bearing



insofar as the working of the petitioner, in the force, is concerned.

4. We have heard the learned counsel for the parties for some time.

5. Appropriate be in the given facts we direct that the petitioner be examined by the Army Hospital (Research and Referral) [Army Hospital (R&R)] based on the parameters of the medical guidelines as applicable to the post of Assistant Sub-Inspector (Executive) [ASI (Executive)].

6. The Registrar, Army Hospital (R&R) shall constitute a Medical Board keeping in view the medical conditions which have been referred to by the RMB of the respondents at page nos. 28 and 29 (Annexure P-1) of the paper book.

7. The Medical Board of the Army Hospital (R&R) shall intimate the petitioner the date and time for the presence of the petitioner for the medical examination. The respondents, herein, shall also produce all the medical records of the petitioner to Medical Board of the Army Hospital (R&R) for its consideration. Based on the medical examination, the Medical Board of the Army Hospital (R&R) shall give a specific opinion as to whether the conditions as have been referred to in the opinion of the RMB by the respondents exists and if yes, what effect those medical conditions shall have on the functioning of the petitioner as an ASI (Executive).

8. If the Army Hospital (R&R) is of the view that the petitioner is fit to be appointed as an ASI (Executive) in the CISF, further action should be taken by the respondents.

9. We have been informed that the said appointment is followed by a training. We have also been informed that the training with respect to the



selection, in question, is already over. If that be so, the petitioner shall be sent in the next batch for training.

10. On the completion of training, the petitioner if ultimately found fit shall be appointed and that appointment must relate back to the batch in which the petitioner had applied originally and was disqualified which has been challenged before this Court. The petitioner shall not be entitled to any back wages.

11. If the Army Hospital (R&R) finds the petitioner unfit, the said conclusion shall be accepted by the petitioner, without any challenge to the same.

12. The present petition is disposed of along with the pending applications, if any.

13. A copy of the order be given *dasti*.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 25, 2026/msh/IB