



2026:DHC:4589-DB



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 21.05.2026

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W.P.(C) 6305/2026 & CM APPL. 30940/2026

JALU RAM

.....Petitioner

Through: Mr. Mandeep Baisala, Mr.
Dhananjay Singh and Mr.
Kavesh Bidhuri, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Ishkaran Singh Bhandari
CGSC along with Mr. Piyush
Yadav, Adv. and Mr. Avtar
Singh, Mr. Sanjay Kumar and
Mr Rahul Sinha – CISF.

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. By way of the present Petition, the Petitioner seeks issuance of a writ in the nature of Certiorari for quashing of the termination order dated 20.01.2026 ['Impugned Order'] issued by the Respondent No.2 whereby the services of the Petitioner, who was engaged as Constable (GD) in the Central Industrial Security Force ['CISF'], have been brought to an end during the period of probation. The Petitioner also seeks consequential reliefs including reinstatement in service and other ancillary benefits.



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FACTUAL MATRIX

2. In order to appreciate the controversy involved in the present Petition, the relevant facts, in brief, are required to be noticed.

3. The petitioner was selected pursuant to a recruitment process conducted for appointment to the post of Constable (GD) in the CISF. Upon successful completion of the recruitment stages, including written examination, physical efficiency test, and medical examination, the Petitioner was issued an offer of appointment and joined the CISF on 21.06.2021. In terms of the applicable service conditions, the Petitioner was placed on probation. It is not in dispute that the Petitioner continued to serve on probation as original period was extended.

4. It is the case of the Petitioner that during the course of basic training at Regional Training Centre ['RTC'], Bhilai, he repeatedly complained of loose motion and bleeding per rectum, pursuant to which he reported to the Combined Hospital, Bhilai on 19.07.2021. Upon medical examination, he was referred for specialist consultation and thereafter admitted at NHMMI Narayana Super Speciality Hospital, Raipur on 30.07.2021, where he was diagnosed with Ulcerative Colitis.

5. The material placed on record further indicates that the Petitioner remained under treatment till 31.08.2021. Thereafter, instead of continuing treatment at the said hospital, the Petitioner proceeded to his native place and rejoined the RTC only on 06.05.2022 after remaining away for a considerable period of 248



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days i.e., 31.08.2021 to 05.05.2022. Upon rejoining, the Petitioner was again referred for specialist medical examination and evaluation regarding his fitness for basic training.

6. The Petitioner was thereafter subjected to repeated medical examination by duly constituted Standing Medical Boards/Review Medical Boards on various occasions, including on 12.06.2023, 26.03.2024, 09.12.2024 and 16.10.2025. The record indicates that on each such occasion, the Petitioner was found medically unfit for undergoing basic training. The reports placed on record further indicate that ultimately the Petitioner was placed in low medical category S1H1A1P2 (Permanent) E1.

7. It further emerges from the record that owing to the Petitioner's continued medical condition and inability to complete the prescribed training, his period of probation was extended on four occasions, each for a period of six months. Ultimately, the Petitioner was served with the Impugned Order dated 20.01.2026, whereby his services were dispensed with during the probation period by invoking Rule 26(4) of the CISF Rules, 2001 by granting one month's salary in lieu of notice.

SUBMISSIONS OF THE PARTIES

8. Submissions of the Petitioner

8.1. Learned counsel for the Petitioner contended that the Impugned Order is arbitrary and violative of principles of natural justice as the Petitioner had successfully cleared all stages of the recruitment process, including the detailed medical examination, and had joined



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service on 21.06.2021. It was further submitted that the Petitioner was medically fit at the time of appointment and that the medical condition of Chronic Ulcerative Colitis was diagnosed only during the course of training.

8.2. It was further urged that the Petitioner, despite the said ailment, continued to undergo treatment and showed considerable improvement over a period of time, as reflected in subsequent medical reports. It was submitted that the Petitioner was subjected to multiple review medical examinations between 2023 and 2024, wherein although he was declared medically unfit, the medical records themselves indicated progressive improvement in his condition.

8.3. It was argued that the termination is not supported by any speaking or reasoned order and has been passed without proper consideration of relevant material. It was submitted that the Petitioner had been performing duties, including light duties assigned during the relevant period, and that the extreme action of termination is disproportionate and harsh in the facts and circumstances of the case.

9. Submissions of the Respondents

9.1 *Per contra*, learned counsel for the Respondents submitted that the Petitioner was required to successfully complete basic training and satisfy the requisite standards of medical and physical fitness, which are essential for retention in a disciplined armed force. It was submitted that the Petitioner, during the course of training, was found medically unfit on multiple occasions by duly constituted Review Medical Boards, including examinations conducted in June 2023,



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March 2024, December 2024 and thereafter. Despite repeated examinations and opportunities, the Petitioner continued to be found unfit for continuation of training.

9.2 It was submitted that the termination of the Petitioner has been effected strictly in terms of Rule 26(4) of the CISF Rules, 2001, which empowers the competent authority to terminate the services of a probationer if he is not found fit for permanent appointment in the Force or fails to successfully complete training. It was contended that the said power has been exercised in accordance with law and does not require assignment of detailed reasons, as the termination is not punitive in nature.

9.3 It was further submitted that assessment of medical fitness for deployment in CISF is within the exclusive domain of expert medical authorities, and the Court, in exercise of jurisdiction under Article 226, ought not to sit in appeal over such expert determinations in the absence of *mala fides* or perversity, neither of which is alleged or established in the present case.

ANALYSIS & FINDINGS

10. This Court has heard the submissions advanced on behalf of the parties and carefully perused the record. At the outset, it is required to be noticed that appointment on probation does not confer an indefeasible right to continue in service and the continuation of a probationer remains subject to satisfactory completion of training as well as overall suitability for the post.



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11. In the present case, the chronology of events assumes significance. The Petitioner joined the CISF on 21.06.2021 for undergoing basic training of the 81st Batch of Constable (GD) at RTC Bhilai. However, within a short period of commencement of training, the Petitioner started experiencing serious medical complications. The record indicates that on 19.07.2021, during the training period itself, the Petitioner reported at the Combined Hospital, Bhilai with complaints of loose motion and bleeding per rectum. Thereafter, upon being referred for specialist consultation, the Petitioner was admitted at NHMMI Narayana Super Speciality Hospital, Raipur on 30.07.2021, where he was diagnosed with Ulcerative Colitis.

12. The material further reflects that the Petitioner remained under treatment till 31.08.2021. As per the record produced by the Respondents, thereafter the Petitioner proceeded to his native place on 31.08.2021 and rejoined the RTC only on 06.05.2022 after remaining away for approximately 248 days. Upon his return, the Respondents did not immediately dispense with his services. On the contrary, the Petitioner was again referred for specialist consultation and medical evaluation regarding his fitness for undergoing basic training. The record demonstrates that the Petitioner was repeatedly subjected to medical examination by specialist doctors and duly constituted Standing Medical Boards on various occasions.

13. The record further reveals that the Petitioner was initially declared temporarily unfit for basic training with effect from 23.02.2023 on the basis of specialist medical opinion. Thereafter, his first and second Standing Medical Boards were conducted on



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12.06.2023 and 26.03.2024 respectively, wherein he was declared medically unfit for basic training for a period of six (06) months on each occasion. Subsequently, pursuant to specialist evaluation dated 04.12.2024 and the sigmoidoscopy report recording “*IUC Mayo Score 2*”, the third Standing Medical Board dated 09.12.2024 again declared the Petitioner unfit for basic training and placed him in low medical category S1H1A1P2 (Temporary) E1. Thereafter, the fourth and final Standing Medical Board was conducted on 16.10.2025. The Petitioner was again subjected to specialist investigation including colonoscopy and radiological examination. As per the colonoscopy report dated 11.10.2025, the Petitioner was found suffering from “*Pan colitis (Rectal activity - Mayos grade II, UCEIS-5), Rest of colon full of polyps, Small internal hemorrhoids*”. Upon consideration of the specialist opinion, investigation reports and medical examination, the Petitioner was ultimately placed in low medical category S1H1A1P2 (Permanent) E1 on 16.10.2025.

14. It is also significant to note that despite the Petitioner repeatedly being found medically unfit for basic training, the Respondents continued to accommodate him over an extended period. The Petitioner’s probation period was extended on four separate occasions, each for a period of six months, in order to enable further medical review and reassessment of his condition. Thus, the record clearly indicates that the Respondents afforded repeated opportunities and continued medical evaluation to the Petitioner before ultimately arriving at the conclusion that he was not medically fit for successful completion of basic training and retention in the Force.



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15. The Impugned Order has been issued in exercise of power under Rule 26(4) of the CISF Rules, 2001. The said Rule is reproduced as under:

“26. Termination –

(4) During the period of probation or its extension thereof, as the case may be, the appointing authority may without assigning any reason terminate the services of a member of the Force on the grounds of furnishing false or incorrect information at the time of appointment of that member of the Force or for his failure to pass the basic training or repeat course, by tendering a notice of one month to that effect or one month's pay in lieu thereof.”

The aforesaid provision clearly empowers the competent authority to terminate the services of a probationer who fails to successfully complete the prescribed basic training or is otherwise not found suitable for permanent retention in the Force. The power exercised under the said provision pertains to assessment of suitability during probation and does not partake the character of a punitive or stigmatic action requiring a disciplinary enquiry.

16. This Court is also conscious of the fact that the CISF is a disciplined armed force where maintenance of prescribed standards of physical and medical fitness is of paramount importance. Determination of medical fitness and suitability for continuation in such force falls primarily within the domain of expert medical authorities and Standing Medical Boards constituted for the said purpose. In exercise of jurisdiction under Article 226 of the Constitution of India, the Court would ordinarily refrain from sitting in appeal over such expert medical assessments unless the same are demonstrated to be mala fide, arbitrary, or wholly unsupported by



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record. No such circumstance is made out in the present case.

17. The contention of the Petitioner that the Impugned Order violates principles of natural justice also does not merit acceptance. The termination in the present case is not founded upon any allegation of misconduct or indiscipline. Rather, the same is based upon repeated medical assessments concerning the Petitioner's suitability and fitness for successful completion of basic training during the probation period. It is well-settled that a probationer does not acquire an indefeasible right to continue in service and that termination on the ground of unsuitability or failure to meet prescribed standards does not amount to punitive termination merely because it may operate to the prejudice of the employee. The Impugned Order is simpliciter in nature and does not cast any stigma upon the Petitioner

18. The reliance placed by the Petitioner upon alleged improvement in his medical condition also does not advance his case. The record itself reveals that despite prolonged treatment, repeated specialist consultations, repeated Standing Medical Boards and multiple extensions of probation over a considerable period, the Petitioner continued to be found medically unfit for undergoing basic training and was ultimately placed in permanent low medical category S1H1A1P2 (Permanent) E1. In a disciplined force such as CISF, mere partial or progressive improvement cannot confer a legal right to continue in service where the competent medical authorities have consistently opined that the individual remains medically unfit for the prescribed training and duties.



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CONCLUSION

19. In view of the aforesaid discussion, this Court finds no infirmity or arbitrariness in the Impugned Order. No ground for interference under Article 226 of the Constitution of India is made out.

20. Accordingly, the present Writ Petition, along with pending application, is dismissed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MAY 21, 2026

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