



2026:DHC:2355-DB



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

Date of Decision: 19.03.2026

+ W.P.(C) 1624/2025 and CM APPL. 7908/2025
STAFF SELECTION COMMISSION AND ANR.

.....Petitioners

Through: Ms. Rukhmini Bobde, CGSC
with Mr. Jatin Dhamija, Mr.
Vinayak Aren & Ms.
Aishwarya Nigam, Advs.

versus

MANDEEP

.....Respondent

Through: None.

+ W.P.(C) 4731/2025
STAFF SELECTION COMMISSION & ANR.Petitioners

Through: Mr. Rohan Jaitley, CGSC with
Mr. Akshay Sharma, Mr. Dev
Pratap Shahi, Mr. Varun Pratap
Singh & Mr. Yogya Bhatia
Advs.

versus

AMIT KUMAR

.....Respondent

Through: None.

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. These Writ Petitions arise out of the same recruitment process, namely, recruitment to the post of Constable (Executive), Male/Female, in Delhi Police Examination, 2023, and assail Orders

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passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi directing that the respective Respondents be subjected to a fresh medical examination before an appropriate Medical Board in a Government hospital other than the hospitals which had conducted the Detailed Medical Examination and the Review Medical Examination.

2. Since the petitions arise from the same advertisement, concern the same post and recruitment framework, involve disqualification on the ground of the same medical ground, and raise a common question touching the permissible scope of judicial interference with concurrent medical opinions rendered within the recruitment process, they were heard together and are being disposed of by this common judgment.

3. The first petition, W.P.(C) 1624/2025, has been instituted by the Staff Selection Commission and the Delhi Police assailing the order dated 09.08.2024 passed by the learned Tribunal in O.A. No. 3144/2024 titled ***Mandeep v. Staff Selection Commission & Ors.*** The second petition i.e. W.P.(C) 4731/2025 challenges the order dated 20.08.2024 passed by the learned Tribunal in O.A. No. 3234/2024 titled ***Amit Kumar v. Staff Selection Commission & Anr.*** In both matters, the learned Tribunal directed a fresh medical examination and further directed that, in the event of the candidate being found medically fit and otherwise eligible, appointment be extended with consequential benefits on a notional basis.

4. For convenience, the facts in W.P.(C) 1624/2025 (Mandeep) are noticed first, followed by the facts in the petition concerning Amit

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Kumar. The common issue of law and the submissions are thereafter proposed to be considered together.

FACTS IN W.P.(C) 1624/2025

(Staff Selection Commission & Anr. v. Mandeep)

5. The present Petition assails the order dated 09.08.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi [hereinafter referred to as the “Tribunal”] in O.A. No. 3144/2024, titled *Mandeep v. Staff Selection Commission & Ors.* By the said order, the learned Tribunal directed the Petitioners to subject the Respondent to a fresh medical examination before an appropriate Medical Board in a Government hospital other than the hospitals which had conducted the Detailed Medical Examination and the Review Medical Examination. It was further directed that, in the event of the Respondent being found medically fit and otherwise eligible, appropriate consequential benefits be extended on a notional basis.

6. Recruitment to the post of Constable (Executive), Male and Female, in Delhi Police Examination, 2023 was undertaken under the applicable recruitment framework, including the Delhi Police (Appointment & Recruitment) Rules, 1980, the relevant Standing Order dated 08.06.2022, and the notice of examination issued by the Staff Selection Commission. The notification for recruitment was issued on 01.09.2023 and online applications were accepted up to 30.09.2023. The Respondent participated in the said recruitment process for the post of Constable (Executive) Male. The Staff Selection Commission conducted the Computer-Based Examination on a pan-India basis from 14.11.2023 to 03.12.2023, and declared the

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result on 31.12.2023. The candidates who qualified were thereafter subjected to the Physical Endurance and Measurement Test (PE&MT), which was conducted by Delhi Police.

7. The Petitioners state that, in order to complete the medical examination process in a time-bound manner, the Ministry of Home Affairs decided on 16.01.2024 that the medical examination of PE&MT-qualified candidates would be conducted through CAPF hospitals, and sufficient Medical Boards were accordingly constituted at designated centres in Delhi and NCR. The Respondent, having qualified the earlier stages of selection, was thereafter subjected to medical examination in accordance with the recruitment process so structured.

8. The Respondent underwent Detailed Medical Examination on 19.01.2024 [hereinafter referred to as DME], where he was declared medically unfit. At his instance, a Review Medical Examination [hereinafter referred to as RME] was thereafter conducted on 29.01.2024, in which the opinion of unfitness was maintained. As recorded by the learned Tribunal, the medical disqualification in the Review Medical Examination was on account of "Isolated Systolic Hypertension". The DME had noted hypertension and another condition, though the disqualification ultimately retained in the RME continued to rest on the hypertension-related finding.

9. Consequent upon the aforesaid medical opinion, no appointment came to be issued in favour of the Respondent. The Respondent, however, obtained a subsequent medical opinion from a Government hospital, which, according to him, did not support the

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finding recorded by the medical boards constituted within the recruitment process.

10. Aggrieved thereby, the Respondent approached the learned Tribunal by way of O.A. No. 3144/2024, seeking, in substance, setting aside of the review medical report dated 29.01.2024, a direction for further consideration of his candidature for appointment to the post of Constable (Exe.) (Male), and, if necessary, a direction for re-medical examination at a Government hospital of repute.

11. The Petitioners herein opposed the Original Application and specifically contended before the learned Tribunal that there exists no provision for any further medical re-examination after the Medical Board and the Review Medical Board; that intervention would amount to sitting in appeal over expert opinion; that the applicant had already been medically examined twice; and that, in the absence of *mala fides* or bias, no interference was warranted, particularly having regard to the stringent selection process and the nature of duties in Delhi Police.

12. The learned Tribunal, with the consent of the parties, proceeded to decide the Original Application at the admission stage. It observed that, in similar circumstances, a Co-ordinate Bench had decided O.A. No. 594/2024 titled "*Ravina v. SSC and Ors.*" on 11.03.2024. Proceeding on the basis that it could not take a divergent view, the learned Tribunal directed the Petitioners to conduct a fresh medical examination of the Respondent by constituting an appropriate Medical Board in a Government hospital other than the hospitals which had already conducted the DME and the RME.

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13. It further directed that appropriate orders with respect to the Respondent's candidature be passed on the basis of the outcome of such fresh examination, and that, in the event of the respondent being found medically fit and otherwise meeting the requisite criteria, he be granted appointment with consequential benefits on a notional basis.

14. Aggrieved by the aforesaid directions, the Petitioners have approached this Court.

FACTS IN [W.P.(C) No. 4731/2025]

(Staff Selection Commission & Anr. v. Amit Kumar)

15. The present Petition assails the order dated 20.08.2024 [hereinafter referred to as the "Impugned Order"] passed by the learned Tribunal in O.A. No. 3234/2024, titled *Amit Kumar v. Staff Selection Commission & Anr.* By the Impugned Order, the learned Tribunal similarly directed the Petitioners to conduct a fresh medical examination of the Respondent by constituting an appropriate Medical Board in a Government hospital other than the hospitals which had conducted the DME and the RME, and further directed that, in the event of the respondent being found medically fit and subject to his meeting the other criteria, he be appointed forthwith with consequential benefits on a notional basis.

16. Mr. Amit Kumar (Respondent herein), too, was a candidate in the same recruitment process for the post of Constable (Executive) Male in Delhi Police Examination, 2023. The recruitment framework, timeline, and process are the same. The Ministry of Home Affairs, on 16.01.2024, directed constitution of Medical Boards for conducting



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DME and RME of candidates for the said recruitment, and the medical examination of all such candidates was decided to be conducted through CAPF hospitals.

17. In pursuance thereof, Medical Boards were constituted at four centres, including Composite Hospital, CRPF, Jharoda Kalan, New Delhi. The Respondent, Amit Kumar, reported at the said hospital for his Detailed Medical Examination on 21.01.2024, where he was declared medically unfit on account of “Hypertension”. Thereafter, the Review Medical Examination Board, considering the report of the DME as well, again declared him medically unfit on account of “Hypertension”.

18. Consequent upon the RME, no offer of appointment came to be issued in favour of the Respondent. He thereafter got himself medically examined at Sardar Vallabhbhai Patel Hospital, where he was allegedly declared fit, and relied upon the said report before the learned Tribunal. The Petitioners’ case is that the said opinion, obtained dehors the recruitment process, could not displace the findings recorded by the duly constituted Medical Boards within the recruitment process.

19. The Respondent consequently instituted O.A. No. 3234/2024 before the learned Tribunal, praying for quashing of the impugned medical report, for further consideration of his candidature for appointment to the post of Constable (Exe.) (Male) in accordance with merit, and, if need be, for subjecting him to re-medical examination at any Government hospital of high repute. The learned Tribunal recorded the Applicant’s submission that the subsequent Government

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hospital report had cleared him of the medical condition recorded by the Medical Board and the Review Medical Board.

20. The learned Tribunal, hearing the matter at the admission stage, noted that in several decisions involving similar circumstances and the same condition, namely hypertension, the Tribunal disposed of the Original Applications by directing fresh medical examination through an independent Medical Board. The learned Tribunal observed that it could not take a divergent view in the matter. On that basis, the learned Tribunal directed a fresh medical examination of the respondent by constituting an appropriate Medical Board in a Government hospital other than the hospitals which had already conducted the initial and the review medical examination, and further directed that, in the event of the Respondent being found medically fit and meeting the other criteria, he be granted appointment forthwith with consequential benefits on a notional basis.

21. It is this order that is assailed by the Petitioners in this Writ Petition before this Court.

ISSUE FOR CONSIDERATION

22. In the aforesaid backdrop, the common question that arises for consideration is whether the learned Tribunal was justified in directing a fresh medical examination of the respective Respondents before an independent Medical Board in another Government hospital, notwithstanding the Detailed Medical Examination and the Review Medical Examination having both returned concurrent opinions of unfitness on the ground of hypertension-related medical condition, and

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in the absence of any finding of *mala fides*, bias, or demonstrable violation of the prescribed recruitment framework.

ANALYSIS AND FINDINGS

23. The extent of judicial review in matters arising from medical disqualification in recruitment to the police and allied disciplined forces is no longer *res integra*. The controlling principles stand explained by this Court in **Staff Selection Commission v. Aman Singh¹**, where it was observed that, while judicial review is not wholly excluded, the Court does not sit in appeal over the opinion of duly constituted Medical Boards. Interference is confined to limited and well-defined situations, such as breach of the prescribed procedure, patent discrepancy between the findings of the Detailed Medical Examination and the Review Medical Examination on the disqualifying condition, absence of requisite specialist evaluation where the nature of the ailment so requires, disregard of material generated within the recruitment process itself, or comparable infirmity going to the fairness or integrity of the medical assessment.

24. Equally, the said decision makes it clear that medical opinions procured by a candidate independently, whether from a private hospital or even from another Government hospital, do not by themselves furnish a legitimate basis to direct a fresh medical examination. The designated Medical Boards, constituted within the recruitment framework, assess fitness not in the abstract, but in the specific context of the service and post concerned. In recruitment to a disciplined force such as Delhi Police, the assessment necessarily



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proceeds on standards calibrated to the nature of the duties attached to the post.

25. At the same time, **Aman Singh** (*supra*) does not postulate an inflexible rule that a fresh medical examination can never be directed. The law, as explained therein, is more nuanced. Where the record discloses a real procedural infirmity, or where the medical process itself suffers from a defect of a kind recognized in law, judicial intervention may well be warranted. The question, therefore, is not whether such a direction is conceptually impermissible, but whether the facts of the present cases disclose circumstances of that character.

26. The importance of a case-specific scrutiny is also underscored by this Court's decision in **Staff Selection Commission v. Ravina Meena**², where the order of the learned Tribunal was set aside and the matter remanded for fresh consideration precisely because the Tribunal had not dealt with the individual facts of that case and had instead disposed of the matter in a generalized manner. The legality of interference with medical disqualification must turn on the facts of the individual candidate and the nature of the infirmity alleged in the process.

27. Similarly, **Staff Selection Commission v. Amit Goswami**³ illustrates the nature of an exceptional case where interference may legitimately be sustained. There, the review medical decision itself suffered from a foundational procedural defect. That decision, therefore, cannot be understood as sanctioning routine directions for

¹ 2024 SCC OnLine Del 7600

² 2024:DHC:9147-DB

³ 2024 SCC OnLine Del 7985



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yet another medical examination; it is, on the contrary, an example of intervention founded upon a demonstrable infirmity in the medical process itself.

28. In the present cases, however, no such infirmity is shown to exist. The respective Respondents were subjected first to a Detailed Medical Examination and thereafter, at their instance, to a Review Medical Examination. In both, the opinion of unfitness for the post was maintained. The disqualification on account of hypertension remained undisturbed and, was retained in the review medical examination. In terms of the principles explained in *Aman Singh (Supra)*, that does not amount to a discrepancy of the kind which would justify judicial interference, for the disqualifying condition stood concurrently affirmed.

29. This aspect assumes added significance in light of the decisions of this Court in **Staff Selection Commission & Ors. v. Vineet Kumar** and **Govt. of NCT of Delhi & Anr. v. Rambabu Verma**⁴. In those cases as well, the issue related to medical disqualification on account of hypertension/high blood pressure. This Court held that where the candidate had been found unfit in the DME and again in the RME, and the record disclosed repeated high blood pressure readings within the recruitment process itself, a fresh medical examination could not be directed merely because the candidate later procured medical reports showing normal parameters. The Court also observed that such cases could not lightly be treated as mere instances of white-coat hypertension, particularly when the designated medical boards

⁴ 2024:DHC:9506-DB



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had recorded the candidate's condition in the course of the prescribed process.

30. The rationale of the aforesaid decisions applies with equal force here. The foundation of the respective Respondents' challenge before the learned Tribunal was essentially a subsequent medical opinion obtained from another hospital, dehors the recruitment process. That circumstance, by itself, could not have displaced the concurrent opinion of the Detailed Medical Examination and the Review Medical Examination, unless the Respondent had first established some legally cognizable infirmity in the process undertaken by the designated medical boards. No such infirmity was identified.

31. Significantly, the learned Tribunal has recorded that it was not examining or commenting upon the merits of the claim. The Impugned Orders does not return any finding that the prescribed procedure had been breached. It does not record any discrepancy of the nature recognised in law. Nor does it find *mala fides*, bias, perversity, or any other procedural irregularity affecting the integrity of the medical process. Absent such findings, the direction for a fresh medical examination lacks an articulated legal basis.

32. What appears, instead, is that the learned Tribunal considered itself bound to adopt the same course as had been adopted by a Co-ordinate Bench in ***Ravina Meena***. That approach cannot be sustained. Consistency in adjudication is undoubtedly a desirable institutional value. But consistency cannot be achieved by dispensing with the obligation to examine the facts of the individual case. Where the legality of interference with medical disqualification turns upon



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specific features of the process and the record, parity of outcome cannot substitute for parity of reasoning.

33. Both the Impugned Orders thus suffers from a two-fold infirmity. First, it directs a fresh medical examination without first identifying any exceptional circumstance recognised by law as warranting such interference. Second, it does so while expressly declining to examine the merits of the medical determination itself. The result is that a substantive direction altering the course of the recruitment process came to be issued without a corresponding adjudicatory foundation.

34. Learned counsel for the Petitioners is, therefore, justified in contending that the learned Tribunal exceeded the permissible bounds of judicial review in matters of expert medical assessment. Once the record disclosed concurrent findings of unfitness returned by the duly constituted medical boards, the learned Tribunal could not have directed a third medical examination merely because the Respondent had obtained a subsequent opinion which was favourable to him.

35. This Court is also mindful that the present recruitment pertains to Delhi Police. In such recruitments, the standards of medical fitness are not to be diluted by abstract notions of equivalence with general medical fitness. The question is not whether the candidate is medically manageable in ordinary life, but whether he satisfies the standards prescribed for appointment to the post. That assessment is one which the recruitment framework entrusts in the first instance to the designated medical authorities.

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36. In view of the above discussion, this Court is of the considered opinion that the learned Tribunal was not justified in directing a fresh medical examination of the Respondents. The Impugned Orders cannot, therefore, be sustained.

CONCLUSION

37. Accordingly, the order dated 09.08.2024 passed by the learned Tribunal in O.A. No. 3144/2024, ***Mandeep v. Staff Selection Commission & Anr.***, is set aside.

38. The order dated 20.08.2024 passed by the learned Tribunal in O.A. No. 3234/2024, ***Amit Kumar v. Staff Selection Commission & Anr.***, is also set aside.

39. The present Writ Petitions are, accordingly, allowed in the aforesaid terms.

41. The pending application, also stands closed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

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