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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 14227/2022

RAHUL YADAV

.....Petitioner

Through: Mr. Ankur Chhibber, Mr. Pranjali Marwah, Mr. Anshuman Mehrotra, Mr. Nikunj Arora, Mr. Arjun Panwar, Ms. Amrit Koul, Mr. Prahil Sharma, Ms. Muskaan Dutta & Ms. Aditi Kapoor, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Jivesh Kumar Tiwari (CGSC) with Ms. Nandini Aggarwal & Ms. Samiksha, Advs.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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19.05.2026

1. Through the present writ petition, the Petitioner prays for the following reliefs:

- “i) Issue a Writ of Mandamus directing the Respondents to issue an offer of appointment letter/joining letter on account of the Petitioner being declared as medically fit in all respect way back on 15.03.2021 and thereafter, appoint the Petitioner at the post of Airmen for intake 01/2021 from the date his batchmates were appointed with all consequential benefits; and
(ii) Pass any such orders as the Hon'ble Court may deem fit in the light of above mentioned facts and circumstances of the case.”

2. Pursuant to an advertisement issued in the year 2020 for recruiting individuals for the post of Airmen Group 'X' (Technical



Trades), the recruitment process was carried out. The last date to apply was 28.09.2020.

3. The Petitioner applied and participated in the recruitment process. He was declared successful in November, 2020, whereafter, he was directed to undergo medical examination wherein he was declared as 'Fit'.

4. The Petitioner was amongst 3,274 candidates who were provisionally selected for the post, being the Airmen. The name of the Petitioner figured at Serial No. 2091 in the provisional list. He was issued a Call Letter for enrolment in Group 'X' and was required to report at Air Force Station, Jodhpur, Rajasthan.

5. On 24.02.2021, at the time of the enrolment in service, the Petitioner was again subjected to Physical Fitness and he was declared as medically unfit. At that time, remaining selected candidates were allowed to join, including the candidates who were lower in merit than the Petitioner.

6. In accordance with the Service Rules, the Petitioner applied for examination by the Review Medical Board.

7. On 15.03.2021, the Review Medical Board declared the Petitioner as 'Fit' for recruitment, however, the Petitioner was not permitted to join.

8. Now, the Petitioner has been denied appointment only on the ground that the decision has been taken to recruit *Agniveers* and not Airmen.

9. However, in this case, the Petitioner is one of the selected candidates. The list of selected candidates was finalized in the year 2021 and other selected candidates, including the persons who were lower in merit, were allowed to join in February, 2021. The *Agniveer*



Scheme was brought in June, 2022. The Petitioner, who was cleared by the Review Medical Board on 15.03.2021, should have been given appointment. The delay is solely on the part of the Respondents, hence, the Petitioner cannot be made to suffer. Additionally, the Petitioner would have been issued appointment in February, 2021 but for opinion by the Medical Board, which was reversed by the Review Medical Board.

10. Accordingly, the writ petition is allowed. Directions are issued to issue an offer of appointment to the Petitioner forthwith. However, it is made clear that the Petitioner shall not be entitled to any back wages.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MAY 19, 2026
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