



\$~68

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

%

Date of Decision : 20.01.2026

+ W.P.(C) 18760/2025, CM APPL. 78125/2025

CHANDAN JOSHI

.....Petitioner

Through: Mr. Indra Sen Singh, Mr. Abhishek Singh and Ms. Kaveri Sharma, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Rajesh Kumar, SPC.

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) Call for the relevant records leading to the impugned order dated 04.11.2025 (Annexure P- 1, Pg 43 issued by the office of Respondent No. 2 by which the Petitioner's application dated 17.09.2025 for conduct of a Review Medical Board has been arbitrarily rejected without due application of mind and without assigning any reasons and, after perusal thereof, issue a Writ of CERTIORARI or any other appropriate Writ thereby quashing said impugned order dated 04. 11 .2025 (Annexure P- 1 ,



Pg 43);

b) Issue an order or direction in the nature of Writ of MANDAMUS or any other appropriate Writ thereby commanding the Respondents to permit the Petitioner to be examined by the Review Medical Board at Army Hospital (Research & Referral) Delhi Cantt;

c) Issue an order or direction in the nature of Writ of MANDAMUS or any other appropriate Writ thereby further commanding the Respondents to complete the process of examination of the Petitioner by the Review Medical Board before 31.12.2025, with a further direction that in case the Petitioner is declared FIT by the Review Medical Board then he should be allowed to join the 218/26T/SSC(M) 108 AEC-(1) AE(L) Course of the 'Air Force Common Admission Test (AFCAT)' commencing from 01 January 2026 at Indian Air Force Academy, Dundigal, Telangana;”

2. The challenge is primarily to the conclusion drawn by the Special Medical Board and the Appellate Medical Board whereby the Boards have found the petitioner unfit for service in the Indian Air Force (“IAF”). As per the impugned order, the petitioner has been found unfit on the ground of ‘Bilateral Cervical rib with demonstrable circulatory deficit’ and ‘Varicocele (LT)’.

3. Mr. Indra Sen Singh, learned counsel for the petitioner has drawn our attention to a prescription of All India Institute of Medical Science (“AIIMS”), Rishikesh, wherein the petitioner has got himself examined by the Doctors, who have given a report as ‘Bilateral Cervical rib’ and ‘is fit to resume duty’. It is also stated that the certificate has been issued for the purpose of Airforce Medical Fitness. The grievance of the petitioner also



appears to be that the request of Review Medical Board has been rejected.

4. Though the learned counsel for the respondents has vociferously argued justifying the conclusion drawn by the Special Medical Board/Appellate Medical Board, stating that as the petitioner has been found unfit by two authorities the decision of the respondents to deny the benefit/remedy of the Review Medical Board to the petitioner cannot be faulted as the consideration by the Review Medical Board, depends upon the strong grounds shown by the candidate calling upon the competent authority to order Review Medical Board.

5. Having heard the learned counsel for the parties and also perused the opinion given by AIIMS, Rishikesh, we are of the view that in the facts of this case, where the petitioner is a young man of 21 years of age, who intends to join the IAF, a direction need to be issued to the respondents to undertake the Review Medical Board, keeping in view the earlier opinion given by the Special Medical Board and the Appellate Medical Board and also the report issued to the petitioner by the AIIMS, Rishikesh. The said exercise shall be undertaken within two weeks from today by informing the date and time to the petitioner atleast two days in advance. It goes without saying that the parties shall be bound by the conclusion drawn by the Review Medical Board.

6. We also take on record, the submission of learned counsel for the petitioner, on instructions, that the petitioner shall be bound by the conclusion drawn by the Review Medical Board and even if the conclusion is adverse to the petitioner, the same shall not be challenged.

7. With the above observations, the petition along with pending



2026:DHC:486-DB



application is disposed of.

8. Interim order dated 10.12.2025 shall continue till the decision of the Review Medical Board.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JANUARY 20, 2026/sr

Signature Not Verified

Signed By: PRADEEP
SHARMA
Signing Date: 24.01.2026
13:12:59

W.P. (C) 18760/2025

Page 4 of 4