



2025:DHC:11381-DB



\$~16

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 18891/2025 & CM APPL. 78667/2025**

PEDDINTI SIVAPetitioner
Through: Mr. Abhinay Sharma, Mr.
Pooran Chand Roy, Advs.

versus

**INDIAN COAST GUARD THROUGH ITS DIRECTOR
GENERAL & ORS.**Respondents
Through: Mr. Jagdish Chandra Solanki
CGSC, Ms. Aishwarya Shina GP, Mr.
Siddharth Bajaj and Ms. Maanya Saxena,
Advs.

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

12.12.2025

%

C. HARI SHANKAR J.

1. The writ petition voices a grievance against the petitioner having been disqualified for the post of Navik (General Duty) in the Coast Guard on the ground that he was suffering from Gynaecomastia.
2. The petitioner was subjected to a Detailed Medical



Examination¹ on 9 September 2025 and was found unfit for recruitment as he suffered from Stage I Gynaecomastia.

3. The Appeal Medical Examination² was conducted on the very next date on 10 September 2025 and the petitioner was again found to suffer from Gynaecomastia as a result of which he was disqualified.

4. We are finding, in case after case, the DME and RME are held on one day after the other, as a result of which the findings in the RME nearly in every case are same as the finding in the DME.

5. Even for the most trivial of ailments, there is little likelihood of the symptoms changing in one day.

6. It is true that, in some decisions of this Court, including a decision of our Bench in *Deepak v. Indian Coast Guard*³, we have noticed that there is no time gap stipulated between the DME and the RME, even though 21 days is granted to a candidate to appeal against the decision of the DME.

7. Nonetheless, we feel that if the RME is being held in every case

¹ “DME” hereinafter

² “AME” hereinafter

³ 2025 SCC OnLine Del 8835



on the very next day of the DME, it is reduced to an empty formality.

8. We direct, therefore, that in future cases, there must be a reasonable and meaningful gap between the DME and RME, so that, if there is some minor ailment by which the candidate suffers which might be cured in short period of time, the candidate is not unreasonably disqualified. We are not, however, inclined to stipulate any specific distance of time between the two examinations, leaving it to the best wisdom of the Examining Board.

9. Apropos the facts of the present case, medical literature teaches us that Gynaecomastia is essentially not a disorder which is considered serious by medical standards. It is at times, a result of obesity and in certain cases, a mere reduction in weight results in curing of the condition.

10. In these particular and specific circumstances of this case, we are of the opinion that the petitioner should be re-examined by the doctors in the Army R & R Hospital to decide whether he is still suffering from Gynaecomastia.

11. For this purpose, we direct the petitioner to appear before the Army R & R Hospital on 16 December 2025 at 11 AM.



2025:DHC:11381-DB



12. The petitioner would present himself before the Medical Superintendent of the Army R & R Hospital, who would refer the petitioner to a concerned doctor of that hospital to examine the petitioner.

13. Mr. Sharma undertakes on behalf of his client that his client would abide by the outcome of the findings of the Army R & R Hospital.

14. Mr. Siddartha, appearing on behalf of Mr. Jagdish Chandra Solanki, learned CGSC submits that the training of the batch for which the petitioner had applied has almost over and recruitments are being made. As such, we clarify that if the petitioner is found suitable consequent to the examination to be conducted in the Army R & R Hospital, he would be entitled for consideration only against the next batch of 2025-26 and his case would be processed for recruitment against that batch further in accordance with law.

15. This writ petition stands disposed of in the aforesaid terms.

16. Let a copy of this order be forwarded to the Secretary, Ministry of Defence and Ministry of Home Affairs to be forwarded to the concerned heads of the various Armed Forces and Paramilitary forces



2025:DHC:11381-DB



to ensure that the medical examinations are conducted in accordance with our orders passed today and not one day after the other.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

DECEMBER 12, 2025/AT