



2026:DHC:2109-DB



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

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*Judgment reserved on: 25.02.2026*

*Judgment pronounced on: 16.03.2026*

*Judgment uploaded on: 16.03.2026*

+ W.P.(C) 3884/2025

STAFF SELECTION COMMISSION & ORS.

.....Petitioners

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

versus

YASHPAL SINGH

.....Respondent

Through: Mr. Anil Singhal, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE ANIL KSHETARPAL**

**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**J U D G M E N T**

**ANIL KSHETARPAL, J.:**

1. Through the present Petition, the Petitioners assail the correctness of the Order dated 20.08.2024 [hereinafter referred to as the 'Impugned Order'] passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi [hereinafter referred to as 'the Tribunal'], in O.A. No.1547/2024, whereby the Original Application ('OA') preferred by the Respondent came to be allowed and the Petitioners were directed to subject the Respondent to a fresh medical examination by a newly constituted Medical Board.

2. By way of the said OA, the Respondent had challenged the



decision of the authorities declaring him medically unfit in the course of the recruitment process conducted by the Staff Selection Commission ('SSC') for appointment to the post of Constable (Executive), pursuant to which the Respondent had been declared medically unfit both in the Detailed Medical Examination [hereinafter referred to as 'DME'] as well as in the Review Medical Examination [hereinafter referred to as 'RME'].

3. Thus, the limited question which arises for consideration before this Court is whether the Tribunal committed any error in directing a fresh medical examination of the Respondent despite the Respondent having been declared medically unfit in both the DME and the RME conducted in accordance with the governing recruitment rules.

**FACTUAL MATRIX:**

4. In order to appreciate the controversy in its proper perspective, it is necessary to notice the relevant facts.

5. The Respondent had participated in the recruitment process conducted by the SSC for appointment to the post of Constable (Executive). Upon successfully clearing the earlier stages of the selection process, the Respondent became eligible to undergo medical examination in accordance with the prescribed recruitment rules and medical standards governing the said post.

6. Pursuant thereto, the Respondent was subjected to a DME on 25.01.2024. During the course of the said examination, the Medical Board found the Respondent to be suffering from Varicose Veins in the left leg and, on that basis, declared him medically unfit for



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appointment to the post in question.

7. Aggrieved by the aforesaid finding, the Respondent exercised the option available under the recruitment process and preferred a request for RME. The Respondent was thereafter subjected to the RME on 31.01.2024. The Review Medical Board, upon conducting an independent examination, concurred with the findings recorded in the DME and once again declared the Respondent medically unfit for appointment to the post of Constable (Executive).

8. Subsequently, the Respondent relied upon a medical certificate dated 30.03.2024 issued by a Government Hospital, wherein it was stated that the Respondent was medically fit to participate in competitive or non-competitive examinations. Relying upon the said certificate, the Respondent contended that the findings recorded in the DME as well as the RME were erroneous.

9. Being aggrieved thereby, the Respondent approached the Tribunal by filing the aforesaid OA, *inter alia*, contending that the medical opinion of the recruitment authorities was incorrect and that the medical certificate issued by the Government Hospital demonstrated that he was medically fit for appointment.

10. The Tribunal, while allowing the OA, placed reliance upon its earlier decision rendered in similar circumstances and observed that where a candidate produces a medical certificate from a Government Hospital contradicting the findings recorded in the DME and the RME, the candidate ought to be afforded an opportunity of being examined by a fresh Medical Board.



11. On the aforesaid reasoning, the Tribunal *vide* the Impugned Order dated 20.08.2024 allowed the OA and directed the Petitioners to subject the Respondent to a fresh medical examination by a newly constituted Medical Board within the stipulated time.

12. Aggrieved by the aforesaid directions issued by the Tribunal, the Petitioners have preferred the present Petition.

### **CONTENTIONS OF THE PARTIES:**

13. Heard learned counsel for the parties and perused the record.

14. Learned counsel appearing for the Petitioners submits as under:

i. The Impugned Order passed by the Tribunal ignores the governing framework of the recruitment process, namely the Advertisement dated 01.09.2023, the Standing Order dated 08.06.2022, and the Delhi Police (Appointment and Recruitment) Rules, 1980 [hereinafter referred to as '1980 Recruitment Rules'], particularly Rule 24(2) which provides that a candidate suffering from a condition likely to interfere with the efficient performance of duties cannot be declared medically fit. These provisions were never under challenge before the Tribunal.

ii. The Respondent participated in the recruitment process with full knowledge of the prescribed terms and conditions. Having undergone the process, it was not open to him to seek a deviation from the same after being declared medically unfit.

iii. The medical certificate dated 30.03.2024, relied upon by the Respondent, is a general certificate stating that he is fit to participate



in competitive or non-competitive examinations. It does not certify that he is fit for the post of Constable (Executive), whereas the DME and RME were conducted by Medical Boards constituted specifically to assess fitness for that post.

iv. Opinions of private, or even government, hospitals, obtained by the concerned candidate, cannot constitute a legitimate basis for referring the case for re-examination. Reliance is placed upon the judgment of the Co-Ordinate Bench of this Court in *Staff Selection Commission & Ors. v. Aman Singh*<sup>1</sup>.

v. The scope of judicial review in matters of medical fitness is limited. Reliance is placed on *Indian Council of Agricultural Research & Ors. v. Shashi Gupta*<sup>2</sup> to submit that courts ought not to substitute the opinion of expert Medical Boards constituted for the recruitment process.

15. *Per contra*, learned counsel appearing for the Respondent supports the Impugned Order and submits as under:

i. Reliance is placed on the medical certificate dated 30.03.2024 issued by a Government Hospital, which records that he is medically fit. It is contended that the said certificate raises doubt about the correctness of the findings recorded in the DME and the RME.

ii. In cases where conflicting medical opinions exist, the candidate ought to be afforded an opportunity of being examined by a fresh Medical Board. Reliance in this regard has been placed on the

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<sup>1</sup>2024 SSC OnLine Del 7600

<sup>2</sup>AIR 1994 SC 1241



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judgment of this Court in *Vijay v. Union of India & Ors.*<sup>3</sup> as well as the decision of the Tribunal in *Teekaram Singh Meena v. SSC & Ors.*<sup>4</sup>, to contend that in appropriate cases courts have directed fresh medical examination to ensure fairness in the recruitment process.

16. No other submissions have been made on behalf of the parties.

### **ANALYSIS AND FINDINGS:**

17. At the outset, it would be apposite to note the settled legal position governing judicial review in matters relating to medical fitness in recruitment to disciplined services. Courts have consistently held that the determination of medical fitness is primarily a matter falling within the domain of expert Medical Boards constituted for the specific purpose of assessing suitability for the post in question. The scope of judicial review in such matters is therefore limited and ordinarily does not extend to substituting the opinion of the Court for that of duly constituted medical experts.

18. In this regard, the Supreme Court in *Shashi Gupta (supra)* has emphasized that where the opinion of a competent Medical Board has been rendered in accordance with the prescribed procedure, courts ought to exercise restraint and should not lightly interfere with such findings unless the decision-making process is shown to be arbitrary, *mala fide* or in violation of the governing rules.

19. Keeping in view the aforesaid limited scope of judicial review, the direction issued by the Tribunal for constituting a fresh Special

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<sup>3</sup>W.P.(C) 3387/2023

<sup>4</sup>O.A. No.519/2024



Medical Board must also be examined with due restraint. This Court, while exercising writ jurisdiction, does not sit in Appeal over the medical opinion rendered by expert bodies. Interference would be warranted only where the process adopted by the Medical Board is shown to be arbitrary, procedurally irregular, or contrary to the governing rules. In the absence of such circumstances, directing repeated medical examinations would amount to unsettling the scheme of the recruitment process itself.

20. At this juncture, it becomes necessary to advert to the governing framework of the recruitment process. The Advertisement dated 01.09.2023, the Standing Order dated 08.06.2022, as well as the 1980 Recruitment Rules prescribe the medical standards required for appointment to the post of Constable (Executive) and continue to hold the field. The said framework requires that a candidate be of sound health and free from any defect, deformity or disease which may interfere with the efficient performance of duties attached to the post.

21. In this regard, Rule 24(2) of the 1980 Recruitment Rules provides that the Medical Officer conducting the examination shall assess, *inter alia*, the candidate's eyesight, speech, hearing and freedom from physical defects or diseases. The Rule further contemplates that a candidate may be rejected if found to be suffering from any disease or defect which is likely to render him unfit for police service or interfere with the efficient discharge of duties.

22. Significantly, the aforesaid Advertisement, Standing Order and the Recruitment Rules were never challenged by the Respondent before the Tribunal. The Respondent had participated in the



recruitment process with full knowledge of the governing standards and had expressly accepted the terms and conditions contained in the Advertisement. It is well settled that a candidate who participates in a selection process subject to prescribed rules cannot, after having failed in the process, seek a deviation from those very standards.

23. In a similar context, a Co-Ordinate Bench of this Court in *Aman Singh*(*supra*)has delineated the principles that apply in the case of recruitment to disciplined Forces, such as Police. The relevant extracts are reproduced hereinbelow for ready reference:

*10.38 In our considered opinion, the following principles would apply:*

(i) *The principles that apply in the case of recruitment to disciplined Forces, involved with safety and security, internal and external, such as the Armed and Paramilitary Forces, or the Police, are distinct and different from those which apply to normal civilian recruitment. **The standards of fitness, and the rigour of the examination to be conducted, are undoubtedly higher and stricter.***

(ii) *There is no absolute proscription against judicial review of, or of judicial interference with, decisions of Medical Boards or Review Medical Boards. In appropriate cases, the Court can interfere.*

(iii) *The general principle is, however, undoubtedly one of circumspection. **The Court is to remain mindful of the fact that it is not peopled either with persons having intricate medical knowledge, or were aware of the needs of the Force to which the concerned candidate seeks entry.** There is an irrebuttable presumption that judges are not medical men or persons conversant with the intricacies of medicine, therapeutics or medical conditions. They must, therefore, defer to the decisions of the authorities in that regard, specifically of the Medical Boards which may have assessed the candidate. **The function of the Court can only, therefore, be to examine whether the manner in which the candidate was assessed by the Medical Boards, and the conclusion which the Medical Boards have arrived, inspires confidence, or transgresses any established norm of law, procedure or fair play.** If it does not, the Court cannot itself examine the material on record to come to a conclusion as to*



*whether the candidate does, or does not, suffer from the concerned ailment, as that would amount to sitting in appeal over the decision of the Medical Boards, which is not permissible in law.*

*(iv) The situations in which a Court can legitimately interfere with the final outcome of the examination of the candidate by the Medical Board or the Review Medical Board are limited, but well-defined. Some of these may be enumerated as under:*

*(a) A breach of the prescribed procedure that is required to be followed during examination constitutes a legitimate ground for interference. If the examination of the candidate has not taken place in the manner in which the applicable Guidelines or prescribed procedure requires it to be undertaken, the examination, and its results, would ipso facto stand vitiated.*

*(b) If there is a notable discrepancy between the findings of the DME and the RME, or the Appellate Medical Board, interference may be justified. In this, the Court has to be conscious of what constitutes a “discrepancy”. A situation in which, for example, the DME finds the candidate to be suffering from three medical conditions, whereas the RME, or the Appellate Medical Board, finds the candidate to be suffering only from one of the said three conditions, would not constitute a discrepancy, so long as the candidate is disqualified because of the presence of the condition concurrently found by the DME and the RME or the Appellate Medical Board. This is because, insofar as the existence of the said condition is concerned, there is concurrence and uniformity of opinion between the DME and the RME, or the Appellate Medical Board. In such a circumstance, the Court would ordinarily accept that the candidate suffered from the said condition. Thereafter, as the issue of whether the said condition is sufficient to justify exclusion of the candidate from the Force is not an aspect which would concern the Court, the candidate's petition would have to be rejected.*

*(c) If the condition is one which requires a specialist opinion, and there is no specialist on the Boards which have examined the candidate, a case for interference is made out. In this, however, the Court must be satisfied that the condition is one which requires examination by a specialist. One may differentiate, for example, the existence of a haemorrhoid or a skin lesion which is apparent to any doctor who sees the candidate, with an internal orthopaedic deformity, which may require radiographic examination and analysis, or an ophthalmological impairment. Where the existence of a medical condition which ordinarily would require a specialist for assessment is certified only by Medical Boards which do not include any such specialist, the Court would be justified in*



*directing a fresh examination of the candidate by a specialist, or a Board which includes a specialist. This would be all the more so if the candidate has himself contacted a specialist who has opined in his favour.*

*(d) Where the Medical Board, be it the DME or the RME or the Appellate Medical Board, itself refers the candidate to a specialist or to another hospital or doctor for opinion, even if the said opinion is not binding, the Medical Board is to provide reasons for disregarding the opinion and holding contrary to it. If, therefore, on the aspect of whether the candidate does, or does not, suffer from a particular ailment, the respondents themselves refer the candidate to another doctor or hospital, and the opinion of the said doctor or hospital is in the candidate's favour, then, if the Medical Board, without providing any reasons for not accepting the verdict of the said doctor or hospital, nonetheless disqualifies the candidate, a case for interference is made out.*

*(e) Similarly, if the Medical Board requisitions specialist investigations such as radiographic or ultrasonological tests, the results of the said tests cannot be ignored by the Medical Board. If it does so, a case for interference is made out.*

*(f) If there are applicable Guidelines, Rules or Regulations governing the manner in which Medical Examination of the candidate is required to be conducted, then, if the DME or the RME breaches the stipulated protocol, a clear case for interference is made out.*

***(v) Opinions of private, or even government, hospitals, obtained by the concerned candidate, cannot constitute a legitimate basis for referring the case for re-examination.** At the same time, if the condition is such as require a specialist's view, and the Medical Board and Review Medical Board do not include such specialists, then the Court may be justified in directing the candidate to be re-examined by a specialist or by a Medical Board which includes a specialist. In passing such a direction, the Court may legitimately place reliance on the opinion of such a specialist, even if privately obtained by the candidate. It is reiterated, however, that, if the Medical Board or the Review Medical Board consists of doctors who are sufficiently equipped and qualified to pronounce on the candidate's condition, then an outside medical opinion obtained by the candidate of his own volition, even if favourable to him and contrary to the findings of the DME or the RME, would not justify referring the candidate for a fresh medical examination.*

*(vi) The aspect of "curability" assumes significance in many cases. Certain medical conditions may be curable. The Court has to be cautious in dealing with such cases. If the condition is itself*



*specified, in the applicable Rules or Guidelines, as one which, by its very existence, renders the candidate unfit, the Court may discredit the aspect of curability. If there is no such stipulation, and the condition is curable with treatment, then, depending on the facts of the case, the Court may opine that the Review Medical Board ought to have given the candidate a chance to have his condition treated and cured. That cannot, however, be undertaken by the Court of its own volition, as a Court cannot hazard a medical opinion regarding curability, or the advisability of allowing the candidate a chance to cure the ailment. Such a decision can be taken only if there is authoritative medical opinion, from a source to which the respondents themselves have sought opinion or referred the candidate, that the condition is curable with treatment. In such a case, if there is no binding time frame within which the Review Medical Board is to pronounce its decision on the candidate's fitness, the Court may, in a given case, direct a fresh examination of the candidate after she, or he, has been afforded an opportunity to remedy her, or his, condition. It has to be remembered that the provision for a Review Medical Board is not envisaged as a chance for unfit candidates to make themselves fit, but only to verify the correctness of the decision of the initial Medical Board which assessed the candidate.*

*(vii) The extent of judicial review has, at all times, to be restricted to the medical examination of the candidate concerned. The Court is completely proscribed even from observing, much less opining, that the medical disability from which the candidate may be suffering is not such as would interfere with the discharge, by her, or him, of her, or his, duties as a member of the concerned Force. **The suitability of the candidates to function as a member of the Force, given the medical condition from which the candidate suffers, has to be entirely left to the members of the Force to assess the candidate, as they alone are aware of the nature of the work that the candidate, if appointed, would have to undertake, and the capacity of the candidates to undertake the said work. In other words, once the Court finds that the decision that the candidate concerned suffers from a particular ailment does not merit judicial interference, the matter must rest there.** The Court cannot proceed one step further and examine whether the ailment is such as would render the candidate unfit for appointment as a member of the concerned Force.”*

(Emphasis supplied)

24. The hereinabove reproduced principles, laid down in *Aman Singh* (*supra*), clearly demonstrate that interference with the opinion of the Medical Board or the Review Medical Board is permissible



only in narrowly circumscribed situations, such as where there is a breach of the prescribed procedure, a demonstrable discrepancy between the findings of the DME and the RME, or where the condition in question requires examination by a specialist who was not part of the Board. Equally, the judgment cautions that medical opinions procured independently by a candidate from private or other hospitals cannot, by themselves, constitute a valid ground for directing a fresh medical examination.

25. Viewed in the light of the aforesaid principles, the facts of the present case do not disclose any circumstance warranting such interference. The Respondent was first subjected to the DME on 25.01.2024, wherein the Medical Board recorded that he was suffering from Varicose Veins in the left leg and was consequently medically unfit for appointment to the post of Constable (Executive). Upon the Respondent seeking a review, he was thereafter examined by the Review Medical Board on 31.01.2024, which independently assessed his condition and concurred with the findings recorded during the DME.

26. Thus, there exists a clear concurrence of medical opinion between the DME and the RME regarding the medical condition of the Respondent. The case is not one where the findings of the two Medical Boards are inconsistent or contradictory so as to give rise to any legitimate doubt regarding the correctness of the assessment. On the contrary, both Boards have uniformly found the Respondent to be suffering from the same medical condition which renders him unfit for appointment in accordance with the applicable recruitment standards.



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27. The only material relied upon by the Respondent to question the findings of the Medical Boards is a certificate dated 30.03.2024 issued by a Government Hospital stating that the Respondent is medically fit to participate in competitive or non-competitive examinations. However, as noticed earlier, the said certificate is in the nature of a general fitness certificate and does not specifically certify that the Respondent is fit for appointment to the post of Constable (Executive) in the Delhi Police. More importantly, the said certificate was obtained by the Respondent on his own volition and not pursuant to any reference made by the Medical Boards during the recruitment process.

28. In such circumstances, permitting a candidate to rely upon independently obtained medical certificates to seek repeated medical examinations would undermine the certainty and finality of the recruitment process. As observed in *Aman Singh (supra)*, once the Medical Boards constituted under the recruitment framework have recorded concurrent findings regarding the existence of a particular medical condition, courts ought not to unsettle those findings merely on the basis of contrary opinions obtained subsequently by the candidate.

29. At the same time, it is not for this Court to determine whether the existence of Varicose Veins would, in itself, constitute a sufficient ground to deny appointment to the Respondent in the Delhi Police. The question whether a particular medical condition renders a candidate unsuitable for appointment to a disciplined force is essentially a matter falling within the domain of the recruiting



authorities and the expert Medical Boards constituted for that purpose. The assessment of the impact of such a condition on the discharge of duties attached to the post is therefore a matter on which this Court must defer to the considered opinion of the competent authorities.

30. Applying the aforesaid principles, this Court is of the considered view that the Tribunal was not justified in directing the constitution of a fresh Medical Board solely on the basis of the certificate dated 30.03.2024 produced by the Respondent. Such a direction, in effect, amounts to permitting the Respondent to reopen the medical assessment despite the existence of concurrent findings of two duly constituted Medical Boards.

31. Further, the reliance placed by the Respondent on the decisions in *Vijay (supra)* and *Teekaram Singh Meena (supra)* is misplaced. In the said matters, the direction for a fresh medical examination was issued in the peculiar facts of the case where the medical record disclosed circumstances warranting further scrutiny. The Courts considered the material on record and found that the nature of the medical condition or the surrounding medical evidence justified a re-examination.

32. The present case stands on a different footing. In the absence of any discrepancy between the two examinations or any procedural irregularity in their conduct, the subsequent certificate dated 30.03.2024, obtained independently by the Respondent, could not have furnished a valid basis for directing a fresh medical examination.

33. Consequently, the Tribunal erred in directing the constitution of



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a fresh Medical Board despite the Respondent having already undergone both the DME and the RME in accordance with the governing recruitment framework.

34. The Impugned Order thus amounts to an unwarranted interference with the considered opinion of duly constituted expert Medical Boards and travels beyond the permissible limits of judicial review in matters relating to medical fitness in recruitment to disciplined services.

**CONCLUSION:**

35. In view of the aforesaid discussion, this Court is of the considered opinion that the Tribunal was not justified in directing a fresh medical examination of the Respondent solely on the basis of the certificate dated 30.03.2024 produced by him.

36. The Impugned Order dated 20.08.2024 passed by the Tribunal in O.A. No.1547/2024 is accordingly set aside and the present Petition is allowed.

37. The Petition is disposed of in the aforesaid terms.

**ANIL KSHETARPAL, J.**

**AMIT MAHAJAN, J.**

**MARCH 16, 2026**

*sp/shah*