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

% *Date of Decision : 11.03.2026*  
+ W.P.(C) 1102/2023 & CM APPL. 14415/2026 REVIEW PET.  
102/2026

UNION OF INDIA

.....Petitioner

Through: Mr. Nitinjya Chaudhry, CGSC, Ms.  
Vidhi Gupta, Mr. Rahul Mourya and  
Mr. Abhay Verma, Advs.

versus

KAPIL GURJAR

.....Respondent

Through: Mr. Ravi Kumar, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE V. KAMESWAR RAO**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**MANMEET PRITAM SINGH ARORA, J. (ORAL)**

**REVIEW PET. 102/2026**

1. This writ petition was disposed of vide judgment dated 09.02.2026.
2. This review petition has been filed by the respondent seeking review only to the extent of the fact recorded at para 2.6 of the judgment, which reads as under:

“2.6 The Appellate Authority thereafter constituted a Medical Board comprising three doctors to assess the medical status of the respondent. Upon examination, the Medical Board observed that the respondent had been correctly declared medically ‘UNFIT’ in the initial medical examination, as he had undergone Lasik Surgery for vision correction in both eyes.”



3. It is stated that the Court at paragraph 2.6 of the judgment has recorded that the facts at paragraph 2.6 of the petition are undisputed.

4. Learned counsel for the review petitioner/respondent submits that however this fact, recorded at para 2.6 of the judgment, is disputed by the respondent. He submits that (a) No Medical Board was ever constituted in appeal of respondent as shown in order dated 26.09.2019, (b) Respondent was never examined by any Medical Board (c) The fee of Rs. 1000/- deposited by respondent was returned as neither any board could be constituted, nor any examination could be conducted.

5. He states that thus, as a matter of fact no appellate Medical Board was constituted in the facts of this case.

6. Mr. Nitinjya Chaudhry, learned CGSC, appears on advance service. He submits that the contents of paragraph 2.6 as recorded in the judgment are correct, and that the petitioner itself has pleaded these facts in paragraph 2.6 of the writ petition; therefore, there is no error in the judgment.

7. We have heard the learned counsel for the parties.

8. The facts recorded in paragraph 2.6 in the judgment have been noted from paragraph 2.6 of the writ petition. No counter affidavit was filed by the respondent in the writ petition. Therefore, the respondent's stand that the said fact set out at paragraph 2.6 of the writ petition is disputed, was not discernible from the record. This fact was also not highlighted during oral arguments on 09.02.2026 and has therefore led to the Court recording the said submission as undisputed in its order.

9. Be that as it may, the limited submission of the review petitioner (i.e., the respondent) is that it seeks to have its stand regarding the non-constitution of the Appellate Medical Board taken on record. This



contention of the respondent has no effect on the final decision taken by this Court in judgment dated 09.02.2026.

10. Accordingly, we take on record the stand of the respondent, as now stated in the present application, to the effect that no Appellate Medical Board was constituted; and to that extent, the fact recorded in paragraph 2.6 of the judgment dated 09.02.2026 is not to be treated as an undisputed fact.

11. No further relief is prayed for in this review petition and taking note of the submission of the respondent and with the aforesaid observation the review petition stands disposed of. All pending applications stand disposed of.

**MANMEET PRITAM SINGH ARORA, J**

**V. KAMESWAR RAO, J**

**MARCH 11, 2026/hp/AM**