



2026:DHC:3723-DB



§
*

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment reserved on: 28.04.2026
Judgment pronounced on: 02.05.2026

+

W.P.(C) 5607/2024

SAGUN KUMAR CHANDAN

.....Petitioner

Through: Mr. Punit Viany and Ms. Sanra
Singpho, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Ravi Kant Srivastava, SPC
along with Mr. Robert
Laishram, Adv. and Mr. Dinesh
Lawate, Dy. Commandant, Mr.
Anoop Singh, CT/GD for CISF.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

J U D G M E N T

AMIT MAHAJAN, J.

1. The present petition has been filed by the Petitioner, seeking the following prayers: -

- “i. Issue a Writ, order or direction in the nature of Certiorari quashing the result of Review Medical Examination dated 19.01.2024 declaring the petitioner unfit on account of Colour Vision CP-IV (Four), and*
ii. Issue a Writ, order or direction in the nature of mandamus directing the respondent No.2 to constitute the independent Medical Board to re-examine the petitioner again,
iii. Any other order(s) as this Hon'ble Court deem fit and proper, may also be passed in favour of the petitioner.”



2. Succinctly stated, the Petitioner was recruited as Constable/GD, in Central Industrial Security Force (‘CISF’), in the year 2010 and is presently posted at Chandigarh (UT). The Petitioner opted for the Limited Departmental Competitive Examination (‘LDCE’) as notified by the Respondent No. 2 on 21.01.2019 for recruitment as Head Constable/Ministerial.

3. Though the Petitioner qualified in the PST/ Written Examination/ Typewriting Test, he was disqualified in the Medical Test for having “*Defective Color Vision*” and was declared “*UNFIT*” by the Detailed Medical Board on 08.12.2023.

4. Aggrieved, the Petitioner preferred an appeal against the above Report and the Review Medical Examination of the Petitioner was conducted and he was again declared “*UNFIT*” for having *Defective Color Vision- IV* on 19.01.2024.

5. Hence, the Petitioner has approached this court by way of the present petition, essentially seeking re-constitution of an independent Medical Board, to re-assess the Petitioner, on the ground that he had also sought independent medical opinions i.e. of Dr. Anil Tanwar, MBBS, MD (OPHTH), SPECIALIST (SAG) OPHTH, Head of Dept. (EYE), Hindu Rao Hospital, Delhi and Dr. Deepa Sharma, Ophthalmologist, Chief Medical Officer (NFSG), ABVIMS & Dr. RML Hospital, who have opined that the Petitioner is having Defective Vision – Color Perception CP-III (and not CP-IV).



6. *Per contra*, the learned Counsel for the Respondent has submitted that as per the revised medical guidelines for medical examination for recruitment in CAPFs and Assam Rifles *vide* MHA OM No. A VI-1/2014- Rectt (SSB) dated 20.05.2015, the Petitioner was liable to fulfill the eye-sight related medical standards of “*Colour Vision: CP III by ISIHARA Remarks: Binocular vision is required.*”. It is urged that the Petitioner has not met the above stipulated criteria and both DMEB and RMEB have declared him “*UNFIT*” on account of *Color Vision-CP IV*. Hence, the view adopted by the Medical Boards of the Armed Forces, consisting of specialists, who are well conversant with the requirements and demands of the duties of the Forces, would be more credible than any reports furnished by private or government Doctors.

7. Arguments heard and this Court has perused the material placed on record.

8. The scope of judicial review in medical fitness and assessment related matters is well delineated. The Courts ought not to substitute the opinion of Medical Boards constituted for recruitment process. 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. In this regard, reference may be made to judgment, passed by a co-ordinate Bench of this Court, in *Staff Selection Commission*



& Ors. v. Aman Singh, 2024 SCC OnLine Del 7600, wherein it has been settled that: -

“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 reexamined 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.”

9. Keeping the above principles in mind, we may advert to the facts of the present case.

10. Notably, the medical condition of the Petitioner has not been denied. The only grievance of the Petitioner is that the Medical Boards have declared him UNFIT by observing his Category as CP-IV (FOUR), while 2 government doctors have stated his Category to be CP-III (THREE).

11. In the considered opinion of this Court, once both the Medical Board and the Review Medical Board, admittedly consisting of domain experts/specialists, have already declared the Petitioner *UNFIT* on account of *Color Vision CP-IV*, in consonance with the guidelines and the requisite recruitment standards and the Petitioner has not been able to demonstrate any *mala fide* or existence of exceptional circumstances as entailed in *Aman Singh (supra)*, this Court ought not to direct re-constitution of the Medical Board in exercise of extraordinary writ jurisdiction. The medical boards involved in recruitment



2026:DHC:3723-DB



processes, being conversant of the harsh conditions in which the candidates may have to work, on being appointed, have adopted certain eye-sight and vision related standards and tested on the same, the rejection of the candidate cannot be faulted.

12. In view of the foregoing, the present petition is dismissed, along with application(s), if any.

AMIT MAHAJAN, J.

ANIL KSHETARPAL, J.

MAY 02, 2026

Jan