



2026:DHC:3082-DB



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

Date of Decision: 13.04.2026

+ W.P.(C) 4910/2026, CM APPL. 24053/2026 and CM APPL. 24055/2026

VIVEK INSA

.....Petitioner

Through: Mr. Vivek Bhai Patel, Mr. Sonu Sharma, Mr Ajeet Yadav and Mr. SK Devrani, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Abhishek Seth, SPC along with Ms. Achal Gupta, Mr. Mukesh Sachdeva, Mr. Widaphi Lyngdoh and Mr. Bhaskar Joshi, Advs. for R-1 to 5.
Mr. Kartik Sharma, GP.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

J U D G M E N T (O R A L)

ANIL KSHETARPAL, J.:

1. By way of the present Writ Petition, the Petitioner assails the decision of the Appeal Medical Board dated 24.03.2026, whereby the Petitioner was declared medically unfit for recruitment to the Indian Air Force in Airmen Intake 02/2026, Group 'Y' (Non-Technical), Medical Assistant trade, and seeks issuance of a direction for



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constitution of a Review Medical Board / fresh medical examination.

2. The facts, to the extent necessary for adjudication of the present Petition, are required to be noticed. The Petitioner applied pursuant to the recruitment process for Airmen Intake 02/2026. He appeared in the Phase-I examination on 25.09.2025 and, having qualified the same, was called for Phase-II examination held on 19.01.2026, which he also cleared. He is stated to have successfully passed the physical tests as well.

3. Thereafter, the Petitioner underwent the initial medical examination on 30.01.2026 and was declared medically unfit on four counts, namely: (i) Irregular Rhythm, (ii) Elevated Serum Uric Acid, (iii) Genu Varum, and (iv) Acne Vulgaris over chest and back. Thereafter, the Appeal Medical Board [hereinafter referred to as 'AMB'] was appointed on 30.01.2026. The Petitioner was accorded an opportunity to appear before the AMB on 25.02.2026.

4. The Petitioner, upon examination by the AMB, was ultimately retained as medically unfit only on account of Elevated Serum Uric Acid. Accordingly, the certificate of unfitness dated 24.03.2026 came to be issued to the Petitioner by the AMB.

5. Aggrieved thereby, the Petitioner got himself tested for Serum Uric Acid at the District Civil Hospital, Bhiwani, on 01.04.2026, where the test reportedly yielded a reading of 3.7 mg/dL, which, according to the Petitioner, was within normal reference limits. The Petitioner further relies on another test conducted at PGIMS, Rohtak, on 03.04.2026, in which Serum Uric Acid reportedly yielded value of



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3.9 mg/dL. The Petitioner thus asserts that the reading on the basis of which he has been declared unfit was transient, possibly attributable to factors such as dehydration.

6. The prescribed Physical/Medical Standards for Airmen in the recruitment process expressly provide that the medical examination would include baseline biochemistry, including RFT - Serum Urea, Uric Acid, Creatinine. The standards further provide that a candidate declared medically unfit may avail the remedy of Appeal Medical Board, that the Recruitment Medical Officer and the specialist doctors of Armed Forces are the final authorities on declaring a candidate fit or unfit during the initial medical examination, AMB and medical examination prior to enrolment and that the candidate shall be governed by Armed Forces medical standards which may be at variance from civil standards, with no provision for representation or Review after the AMB.

7. A Coordinate Bench of this Court in *SSC & Ors. v. Aman Singh*¹ has reiterated that, while judicial review over medical opinions in recruitment to disciplined forces is not altogether excluded, the Court must exercise restraint and cannot routinely sit in appeal over the opinion of expert medical authorities. Interference may be warranted where the facts disclose some substantial infirmity, such as breach of the prescribed procedure, notable discrepancy in successive findings, absence of the requisite specialist where the condition so requires, or disregard of a specialist opinion or investigation which the Board itself had sought. Equally, it emphasises that the matter must

¹ 2024: DHC:8441-DB



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turn on the facts of the individual case and not on any omnibus formula.

8. Examined in the light of the aforesaid principles, this Court is not persuaded that the present case warrants interference. The Petitioner has relied upon later reports obtained from Government hospitals outside the service recruitment framework. However, those later reports, by themselves, do not displace the medical opinion rendered in the course of the prescribed recruitment medical examination process. The governing standards make it clear that the Armed Forces medical authorities are the final authorities for the purposes of the recruitment examination and that the applicable service standards may differ from civil standards.

9. This Court is unable to accept the submission that merely because the later civil-hospital reports reflect values asserted to be within normal reference limits, a further Review Medical Board must necessarily follow. Learned counsel for the Petitioner has also submitted that the certificate issued by the Appeal Medical Board does not itself disclose the precise serum uric acid reading. That circumstance, by itself, does not carry the Petitioner further. No material has been placed before this Court to show that the governing recruitment framework required the AMB certificate to reproduce the numerical value, or that omission thereof, absent anything more, vitiates the medical opinion.

10. The issue before this Court is not whether another set of medical professionals may have taken a different view, but whether the decision-making process of the competent service medical



authorities stands vitiated by such patent infirmity as would justify interference in exercise of jurisdiction under Article 226 of the Constitution of India. In the present case, no specific violation of the governing recruitment medical framework has been shown. Nor has the Petitioner demonstrated that the applicable procedure contemplated any further representational or review examination after the finding of the AMB.

11. The learned counsel for the Petitioner submits that the elevated uric acid reading was transient, curable, and later normalised itself. Even if that submission is assumed to be arguable on the medical plane, it does not follow that the medical unfitness opinion rendered in the recruitment process becomes legally unsustainable. The standards prescribed during the recruitment expressly treat uric acid as one of the relevant biochemical parameters for medical evaluation, and the finality attached under the scheme to the Armed Forces medical opinion cannot be displaced merely by the subsequently obtained civil-hospital reports outside the recruitment framework.

12. In the considered view of this Court, therefore, the present matter does not disclose the kind of substantial infirmity contemplated in *Aman Singh (Supra)* so as to warrant a direction for a fresh medical examination. No case of absence of the requisite specialist under the applicable framework, disregard of a specialist opinion sought by service authorities themselves, or comparable procedural illegality has been made out.

13. In view of the above, no ground to interfere with the impugned decision of the Appeal Medical Board dated 24.03.2026. The Writ



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Petition is, accordingly, dismissed. Pending applications shall stand closed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

APRIL 13, 2026

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