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

+ W.P.(C) 7636/2024 & CM APPL. 31780/2024

RAKESH KUMAR

.....Petitioner

Through: Mr. Ajay Garg, Mr. Uday Garg,
Ms. Anusha Garg, Mr. Soumil Singh Rawat
and Ms. Vanshika Gupta, Advs.

versus

SASHASTRA SEEMA BAL AND ANR

.....Respondents

Through: Mr. Nishant Gautam, CGSC
with Ms. Kavya Shukla, Adv.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

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10.12.2025

C. HARI SHANKAR, J.

1. This writ petition assails the rejection of the petitioner's candidature for the post of Head Constable (Mechanic) in the Sashastra Seema Bal¹ consequent to the recruitment which took place in 2023.

2. Skipping all superfluities, we may straight away note that the petitioner was found to be unfit for recruitment as he was suffering from Knock Knee and Defective Color Vision of CP-IV Grade.

3. With respect to the disqualification of Knock Knee, the revised guidelines as on May 2015, applicable to the subject recruitment,

¹ "SSB" hereinafter



provide thus:

“2. Deformities and their assessment-

i) **Knock Knee:** A separation of internal malleoli of over 5 cms will be a disqualification”.

4. Inter-malleolar separation of over 5 cm was, therefore, a disqualification in the case of persons who were found to be suffering from Knock Knee.

5. The petitioner’s Detailed Medical Examination² was conducted on 4 April 2024 which found him to be suffering from Knock Knee with Intermalleolar Distance of 7.5 cm.

6. The matter was, therefore, put up before Review Medical Examination³. The Review Medical Board noted the fact that the petitioner had been found unfit by the DME and referred him to an Orthopaedic opinion at the BRDMC, Gorakhpur.

7. The BRDMC, after examining the petitioner, found him to be having Knock Knees with Intermalleolar Distance of 4 cm, after radiological examination.

8. Despite this, the RME claims to have once again examined the petitioner and found that the Intermalleolar Distance between his knees was 6 cm, which was above the maximum limit of 5 cm.

² “DME” hereinafter

³ “RME” hereinafter



9. We have already held, in our decision in *Staff Selection Commission v. Aman Singh*⁴, that, where the Review Medical Board refers the petitioner to a specialist, the Board would ordinarily be bound by the opinion of the specialist.

10. The specialist, to whom the petitioner had been referred in this case, confirmed that the Intermalleolar Distance between his knees was only 4 cm, after subjecting him to radiological examination. In that view of the matter, we are of the opinion that the Review Medical Board could not have again subjected the petitioner to a medical examination and disqualify him, else the referral to the specialist would lose all sanctity.

11. Besides, in the present case, we further find that there is discordance in the Intermalleolar Distance as found by the DME and RME. The DME found the Intermalleolar Distance to be 7.5 cm whereas the RME found it to 6 cm. This additionally casts doubt on the manner in which the petitioner was examined by the Medical Boards and lends credence to the opinion of the Specialist hospital which had examined the petitioner.

12. Clearly, therefore, the petitioner could not have been disqualified from recruitment on the ground of Knock Knee as the Intermalleolar Distance was 4 cm, which was below the maximum of 5 cm.

13. Insofar as Defective Color Vision was concerned, the Review

⁴ 2024 SCC OnLine Del 7600



Medical Board report itself acknowledges that the petitioner was found conforming to CP-IV standards as per the ISHIARA standard. However, the petitioner was found unfit as according to the RME, the applicable standard was CP-III.

14. Mr. Garg, learned Counsel for the petitioner, submits that the applicable standard for his client was CP-IV, and not CP-III.

15. The petitioner, as we already noted, had applied for the post of Head Constable (Mechanic). Annexure 1 to the Revised Guidelines (*supra*) specifically provides that, for the posts of Cook, Washermen, Barber, Tailor, Bootmaker, Carpenter, Mali, Electrician/Switch-Board Attendant, *Mechanic*, Plumber, Mason, Painter, Motor Pump Attendant, Welder, Water Carrier, Sweeper, Safai Karamchari, Bugler, Kahar, Malachi etc., the applicable color vision standards would be CP-IV by ISHIARA.

16. Admittedly, even as per the RME findings, the petitioner qualified the CP-IV standards by ISHIARA.

17. The CP-III standard, therefore, was incorrectly applied by the Review Medical Board.

18. The petitioner, therefore, clearly qualifies as per the applicable standards for recruitment to the post of Head Constable (Mechanic) in the SSB.

19. We, therefore, quash and set aside the respondents' decision to



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treat the petitioner as disqualified. The candidature of the petitioner would be further processed in accordance with law and he shall be appointed if found suitable on merits.

20. The writ petition stands allowed accordingly.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

DECEMBER 10, 2025/rjd