



2025:DHC:9503-DB



\$~51

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 16366/2025, CM APPL. 66999/2025 & CM APPL. 67000/2025

HEMANT KUMARPetitioner
Through: Mr. Vijay Kasana, Ms. Nikita
and Mr. Amarjeet Singh, Advs.

versus

UNION OF INDIA AND ORSRespondents
Through: Mr. Mohit K. Mudgal, SC with
Mr. Vikrant Malwal, GP, Ms. Vinita Sejwal,
Adv. Mr. Vinod Sawant, Legal Officer
CRPF and Insp Arhurv, CRPF.

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% **29.10.2025**

C. HARI SHANKAR, J.

1. The petitioner has been concurrently disqualified by the Detailed Medical Examination¹ and Review Medical Examination², which considered his candidature for the post of Assistant Commandant and found that he was not suitable as he suffers from “early Ectasia” in both eyes.

2. Ectasia is defined, in the database of the National Library of Medicine³, as “a rare condition characterized by the abnormal dilation

¹ “DME”, hereinafter

² “RME”, hereinafter

³ <https://www.ncbi.nlm.nih.gov/books/NBK541130/>



of coronary arteries, which can lead to impaired blood flow and increased risk of ischemia”.

3. Mr. Vijay Kasana, learned Counsel for the petitioner submits that ectasia is not one of the disqualifying ailments stipulated in the guidelines for recruitment to the post of Assistant Commandant as issued by the Ministry of Home Affairs⁴.

4. However, learned Counsel for the respondents points out that the petitioner had undergone LASIK surgery and that the ectasia had developed after the surgery as a complication thereof. He further submits that the petitioner did not disclose the fact that he had undergone a LASIK surgery to the respondents.

5. We are not entering into the aspect of whether there was any failure to disclose the aspect of undergoing LASIK surgery. However, though ectasia is not specifically mentioned as a disqualification in the standards prescribed by the MHA in the aforementioned guidelines, clause 4(h)(i) of the guidelines, while dealing with LASIK surgery, envisages only a candidate who has undergone *uncomplicated* LASIK surgery as being entitled for recruitment.

6. Inasmuch as ectasia is a complication of LASIK surgery, we are not inclined to agree with the submission of learned Counsel for the petitioner that the ailment from which his client suffers is outside the guidelines of the MHA.

⁴ “MHA”, hereinafter



2025:DHC:9503-DB



7. We have already held in our judgment in ***Staff Selection Commission v Aman Singh***⁵ following the earlier judgment of a Division Bench of this Court in ***Km. Priyanka v UOI***⁶ that, where there are concurrent findings of the DME and the RME with respect to disqualification of a candidate, the Court cannot direct a fresh medical examination.

8. This case is squarely covered by the said decision.

9. Accordingly, we are not inclined to entertain this petition, which is, therefore, dismissed in *limine*.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

OCTOBER 29, 2025/gunn

⁵ 2024 SCC Online Del 7600

⁶ 2020 SCC Online Del 1851