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

\+ W.P.(C) 10751/2023 & CM APPL. 41652/2023

SACHIN P. RATHOD .....Petitioner

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

versus

STAFF SELECTION COMMISSION & ORS. .....Respondents

Through: Ms. Ritu Reniwal, SPC with Mr. Mahendra Kumawat, Adv.

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

JUDGMENT (ORAL)

% **10.12.2025**

C. HARI SHANKAR, J.

1. This writ petition assails the decision of the respondent to declare the petitioner unfit for recruitment to the post of Constable (GD) in the Central Armed Police Forces[1] on the ground that he suffers from Tachycardia and Truncal Acne.

2. The petitioner participated in the selection conducted by Staff Selection Commission for the post of Constable (GD). He cleared all rounds of selection till the stage when he was subjected to a Detailed Medical Examination[2] on 20 July 2023. The Board which conducted the DME found the petitioner to be suffering from Tachycardia and

[1] "CAPFs" hereinafter
[2] "DME" hereinafter

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Truncal Acne and referred him to a Review Medical Board[3]. The RMB referred the petitioner for expert opinion to Ramaiah Medical College for Tachycardia and Truncal Acne. Both the Cardiology and Dermatology Department of Ramaiah Hospital examined the petitioner and advised thus,

> "Fit to join CRPF Forces."

3. The respondent, through a referral document dated 21 July 2023 signed by a member of the RME Board, referred the petitioner for opinion to the Aster CMI Hospital. The petitioner, accordingly, had himself examined by the Aster CMI Hospital which, on 25 July 2023, certified thus:

> "Patient has mild Truncal acne and post inflammatory Hyper pigmentation over the back which will resolve. Hence, No active dermatological intervention needed and Fitness can be given."

4. Despite the above findings of the Aster CMI Hospital, the RMB, on 26 July 2023, once again found the petitioner unfit for recruitment on the ground that he had extensive Truncal Acne and Tachycardia which would interfere in wearing combat gear.

5. Both the Hospitals examined the petitioner for both diseases.

6. We have already taken a view, in ***SSC v. Aman Singh***[4]**,** that, where the authorities referred the petitioner to a specialist, the opinion of the specialist would be binding on the authorities. We note the fact that the final decision of the RMB on 26 July 2023 returns the finding

[3] "RMB" hereinafter

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which is directly contrary to the finding of the Aster CMI Hospital to which the respondents themselves had referred the petitioner. Though, ordinarily, we would have been inclined to allow this writ petition in view of the finding given by the Aster CMI Hospital regarding which there is no reference in the final report of the RMB dated 26 July 2023, we are only concerned with the observations, in the final report that the Acne and Tachycardia from which the petitioner is stated to be suffering would interfere with wearing combat gear.

7. Mr. Garg, learned Counsel for the petitioner, also points out that, according to the applicable guidelines, only severe Acne would be a disqualification and not mild Acne.

8. We are inclined to give credence to the finding of the Aster CMI Hospital to the extent it holds that the Acne from which the petitioner is suffering is only mind Truncal Acne which can be resolved.

9. As the Aster CMI Hospital certificate does not indicate whether it has been specifically asserted as to whether the Acne from which the petitioner suffers would interfere with the wearing of combat gear, on this limited aspect, we direct the petitioner to be examined by the Army Hospital (Research and Referral)[5], which would return a finding as to whether the Acne from which the petitioner suffers would interfere with wearing of combat gear.

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[4] **2024 SCC OnLine Del 7600**
[5] "R&R Hospital" hereinafter

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10. For this purpose, let the petitioner present himself before the R&R Hospital on 26 December 2025 at 11 am.

11. As we are informed that the R&R Hospital may not have a Dermatologist handy when the patient reports, we direct learned Counsel for the respondents to ensure that a copy of this order is forwarded to R&R Hospital immediately so that the R&R Hospital could have a Dermatologist available on the aforenoted date to examine the petitioner to ascertain whether he is in a position to wear combat gear.

12. Mr. Garg undertakes that the petitioner would abide by the outcome of the findings of the R&R Hospital.

13. Needless to say, if the petitioner is found fit, the result of his selection would be further processed in accordance with applicable procedures.

14. The petition is disposed of in the aforesaid terms.

15. *Dasti.*

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

DECEMBER 10, 2025/AR

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