



2025:DHC:11500-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 18902/2025, CM APPL. 78692/2025 & CM APPL.
78693/2025

AJAY KUMAR

.....Petitioner

Through: Mr. K.K. Sharma, Mr. Sameer
Khan, Mr. Harshit Aggarwal and Mr.
Pratham Kindra, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Ashish Goyal, SPC with
Mr. Kautilya, GP and Mr. Anurag Singhal,
Advs.

CORAM:**HON'BLE MR. JUSTICE C. HARI SHANKAR****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****JUDGMENT (ORAL)**

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16.12.2025**C. HARI SHANKAR, J.**

1. The petitioner is a candidate belonging to the Scheduled Castes, who applied for recruitment to the post of Constable (GD) in the Central Armed Police Forces¹. The said exam was conducted by the Staff Selection Commission on 12 February 2025. Consequent to his clearing earlier rounds of selection, a Detailed Medical Examination² of the petitioner took place on 27 November 2025. The DME found the petitioner to be unfit for recruitment as Constable in the CAPFs as he had Brachymetatarsia in the fourth toe of his right foot.

¹ "CAPFs" hereinafter

² "DME" hereinafter



2. The petitioner, on an application, was thereafter examined by a Review Medical Board³ which also declared him to be unfit on the ground that he had Brachymetatarsia in the fourth toe of his right foot on 2 December 2025.

3. On the ground that an outside medical opinion, obtained by the petitioner, had found him to be fit, and that, in the medical examination of the petitioner which have been conducted for the previous year in 2024, no unfitness was found, the petitioner has approached this Court by means of the present writ petition, praying that the DME report dated 29 November 2025 and the RME report dated 2 December 2025 be quashed and set aside and that his candidature for the post of Constable (GD) in the CAPFs be further processed.

4. We have dealt with a similar controversy recently in *Jyoti Panwar v. Union of India*⁴. The petitioner in that case had also applied for the post of Constable/GD (Mahila). She was also disqualified on the ground that she had Brachymetatarsia in the fourth toe of her foot, consistently by the DME and the RME. The petitioner, Jyoti Panwar, had contended, before us, that the abnormality in the fourth toe of her foot would not impede her from performing her duties as Constable. In this context, she had drawn our attention to the Uniform Guidelines for Medical Examination Test (MET) for recruitment in CAPFs, NSG and AR, which govern the

³ "RME" hereinafter

⁴ Judgment dated 3 December 2025 in WP (C) 8443/2024



said selections.

5. On perusing the said guidelines, we had found the contention of the petitioner to be correct to the extent that Brachymetatarsia, in every case, would not create a functional hurdle in the performance of the duties by the candidate concerned.

6. Resultantly, we had directed the petitioner, Jyoti Panwar, to be re-examined by a Medical Board to be constituted by the Army Hospital (Research and Referral)⁵. We may reproduce, for ready reference, paras 3 to 12 of the decision in *Jyoti Panwar*, thus:

“3. Mr. Akash Mohan, learned counsel for the petitioner has also invited our attention to the applicable “Uniform Guidelines for Medical Examination Test (MET) for Recruitment in CAPFs, NSG and AR⁶”, which admittedly govern the selection. Apropos deformities of the toes, Mr. Akash Mohan, learned counsel for the petitioner points out that the guidelines stipulate thus :

“B. Foot and ankle

(b) Presence of deformities of the toes (acquired or congenital, including, but not limited to conditions such as hallux valgus, hallux varus, hallux rigidus, claw toe(s), overriding toe(s), (that prevents the proper wearing of combatised footwear or impairs walking, marching, running, or jumping, are disqualifying.”

4. Mr. Mohan has also drawn our attention to Clause D, which reads thus :

“D. General.

⁵ “R&R Hospital” hereinafter

⁶ “the Guidelines”, hereinafter



(a) Presence of deformities, disease, or chronic joint pain of pelvic region, thigh, lower leg, ankle and/ or foot that have interfered with function such a degree as to prevent the individual from following a physically active vocation in civilian life, or that would interfere with walking, running weight bearing, or the satisfactory completion of training or combatized duty, are disqualifying.

(b) Presence of leg-length discrepancy resulting in a limp is disqualifying.”

5. It is apparent from the reading of the aforesaid Guidelines that presence of toe deformities is not, in every case, a disqualification for recruitment to the post of Constable. The Medical Boards would also have to opine on whether the deformity is such as would prevent proper wearing of combatized footwear or impair walking, marching, running or jumping and also take into consideration, the stipulations contained in Clause D of the Guidelines reproduced *supra*.

6. As the Medical Boards, which have examined the petitioner in the present case, have not opined regarding the functional limitations, if any, which the petitioner would suffer, as a consequence of the brachymetatarsia, we deem it appropriate to set aside the decision to disqualify her from the post of Constable, as returned by the Medical Board and the RMB.

7. We, accordingly, do so.

8. The petitioner shall be re-examined by a Medical Board, to be constituted by the Army Research and Referral Hospital on 13 December 2025 at 11 am. The petitioner would present herself at the office of the Medical Superintendent, Army Research and Referral Hospital, who would direct her for examination by a competent doctor. In case the condition is one that requires the opinion of a specialist, a specialist would examine the petitioner in that regard.

9. Mr. Akash Mohan agrees, on behalf of his client, that his client would remain bound by the decision of the Army Research and Referral Hospital, whichever way it goes.

10. We make it clear that we have not expressed any opinion, positive or negative, regarding the petitioner’s entitlement or eligibility for being recruited as Constable/GD. We, however, reiterate that the decision must be taken strictly keeping the provisions of the aforesaid Guidelines in mind and taking all



factors into consideration.

11. We also make it clear that consequent to the decision of the Board constituted by the Army Research and Referral Hospital, the petitioner would be provided not only with the final decision but also all connected medical papers.

12. The writ petition is allowed to the aforesaid extent, with no orders as to costs.”

7. Learned Counsel for the parties are *ad idem* that the issue in controversy in the present case is identical to that in *Jyoti Panwar*.

8. Accordingly, following the decision in the said case, we set aside the decision of the respondents treating the petitioner as disqualified for recruitment as Constable (GD) in the CAPFs. We direct that the petitioner be re-examined by a competent board to be constituted by the R & R Hospital, for which purpose the petitioner would present himself on 23 December 2025 at 11 am.

9. Learned Counsel for the petitioner undertakes that the petitioner would remain bound by the decision of the R & R Hospital.

10. The petition stands allowed to the aforesaid extent with no orders as to costs.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

DECEMBER 16, 2025/AR