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

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Date of Decision : 10.02.2026

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W.P.(C) 1866/2026

NEERAJ SINGH

.....Petitioner

Through: Mr. Rajal Srivastava, Mr. Rajat Gupta, Mr. Dhananjay Kumar, Mr. Suyash Tripathi, Advs.

versus

UNION OF INDIA AND ANR

.....Respondents

Through: None.

CORAM:**HON'BLE MR. JUSTICE V. KAMESWAR RAO****HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA****V. KAMESWAR RAO, J. (ORAL)****CM APPL. 9119/2026(Exemption)**

1. Exemption is allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 1866/2026 CM APPL. 9118/2026

3. The present petition has been filed seeking the following prayer:
 - a. Issue an appropriate writ, order or direction for setting aside the amendment I revision vide Office Memorandum dated 31.05.2021 issued by the Ministry of Home Affairs on "Revised Uniform Guidelines (or Review Medical Examination in Central Armed Police Forces & Assam Rifles (or GO's & NGO 's : Amendment Thereof" marked as F.No-E.32012/ADG (Med)/DME & RME/DA-112020 (Part File)/1166 made to the "Guidelines for Medical Recruitment Examination in Central Armed Police Forces and Assam Rifles" issued by the Ministry of Home Affairs vide Office Memorandum dated 20.05.2015 marked as A.VI-1/2014-Rectt(SSB);
 - b. Consequentially, having set aside the amendment vide Office Memorandum dated 31.05.2021 issued by the Ministry of Home Affairs, issue an appropriate writ, order or direction setting aside the portion on "Guidelines (or Review Medical Examination" issued



under "Guidelines (or Medical Recruitment Examination in Central Armed Police Forces and Assam Rifles" and issued by the Ministry of Home Affairs vide Office Memorandum dated 20.05.2015 marked as A.VI-112014-Rectt(SSB);

c. Issue an appropriate writ, order or direction setting aside the selection process notified under Clause 13(III)(a) of the Recruitment Advertisement marked as File No. 420/RC/SSB/AC(Commn)/2023 issued by the Respondents- SSB & Union of India to the extent that Review Medical Examination shall be conducted after giving a candidate suitable opportunity to remedy health issues notified in the Detailed Medical Examination;

d. Issue an appropriate writ, order or direction to the Respondents for setting up a Medical Board to undertake the Review Medical Examination of the Petitioner as and when directed by this Hon'ble High Court;

e. Issue an appropriate writ, order or direction to the Respondents for issuing fresh list of shortlisted candidates under Clause 13(III)(a) of the Recruitment Advertisement marked as File No. 420/RC/SSB/AC(Commn)/2023 issued by the Respondents- SSB & Union of India;

Factual Matrix

4. Respondent No. 2 issued the Recruitment Advertisement for filling up the posts of Assistant Commandant (Communication) in Group-A Gazetted and Non-Ministerial (Combatised) wherein 6 vacancies were notified in the unreserved category. The Recruitment Advertisement under clause 13 provides for a detailed process for selection of candidates, which is provided at paragraph 3 of the present petition.

4.1 Petitioner applied for the vacant post in the unreserved category and on 02.09.2025 an admit card for the computer based test/written examination was issued to the him. Accordingly, the Petitioner scored 71% (319.5/450 marks) and qualified the written examination. The results were declared on 28.10.2025. Thereafter, he was issued an e-admit card for



carrying out the Physical Standard Test ['PST'], Detailed Medical Examination ['DME'] and Review Medical Examination ['RME'].

4.2 Petitioner cleared the PST stage on 23.12.2025 and thereafter appeared before the Respondent No. 2 for undergoing the DME on 26.12.2025. However, after undergoing the requisite examination before the DME board, the Petitioner was disqualified from the selection process as being unfit on account of being overweight by 15.7 kgs as well as due to there being defects in his vision.

4.3 Petitioner, thereafter, gave his consent for undergoing the RME. However, it was informed to him that the RME of the Petitioner would be conducted on the very next day i.e., 27.12.2025, itself. Petitioner therefore did not appear before the Medical Board for undergoing the RME.

5. The present petition has been filed on 07.02.2026 principally seeking a direction to the respondents to conduct an RME today.

6. Learned counsel for the petitioner states that the Petitioner has got himself examined at Lok Bandhu Rajnarayan Combined Hospital, Lucknow on 05.02.2026 wherein it has been clearly stated that the Petitioner is having vision which is 'free and full in all gazes'. He orally states that in the meantime petitioner has also taken steps to reduce his weight by 10 kgs.

6.1 He states that the action of Respondent No.2 in offering to conduct the RME on 27.12.2025 is arbitrary as it gives no meaningful opportunity to the candidate to take remedial steps for removal of the deficiencies.

6.2 He refers to the judgment of the co-ordinate bench in **Peddinti Siva v. Indian Coast Guard**¹, to contend that the court has already expressed a

¹ 2025 SCC OnLine Del 9645 Paragraphs 7 and 8



view that there should be a reasonable and meaningful gap between the DME and RME.

6.3 He states that the petitioner has learnt that the shortlisted candidates are scheduled for an interview in the month of February and therefore, the Petitioner’s case can also be considered by the Respondents by conducting an RME today.

6.4 He fairly submits that the requirement of height and weight was specifically stipulated at internal page 10 of the Recruitment Advertisement issued in 2023, however, petitioner was unable to maintain the required weight due to the stress of the examination process.

7. We have heard the learned counsel for the Petitioner and perused the record.

8. The admitted facts are that the Recruitment Advertisement enlisting the requirements of height and weight was published in 2023. The examination date was notified on 02.09.2025 and the exam was held on 06.09.2025. The result of the written examination was published on 28.10.2025 and the Petitioner learnt that he had qualified in the said examination. The DME was held on 26.12.2025, when the Petitioner was declared unfit on the following two grounds:

Amm-1-10
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Page-11 Annexure-A

Candidate's Copy

Assistant Commandant (Commn.)-2023
FORM NO. AC (Commn.)-2023/1
MEMORANDUM UNFIT

Subject: **REVIEW MEDICAL EXAMINATION OF CANDIDATES FOUND TO BE UNFIT IN DME FOR THE POST OF AC (Commn.)-2023 IN SSB**

Mr/Ms/Mrs Naeraj Singh Roll No. 50005127
is hereby informed that he/she is unfit for the post
of AC (Commn.)-2023 in SSB At. 25.09.2025
and found him/her UNFIT due to the reasons mentioned below :-

(i) Over weight by 15.7 kg

(ii) Restricted vision in elevation, distance & accommodation as

(iii) Convergence insufficiency as

(iv)

2. You are hereby informed that you can apply for Review Medical Examination (RME) by signing on the consent form below. RME will be conducted on 27/12/2025 for which you are required to report at 7:30 hrs.

Date - 21/12/2025 Centre - SSB BSR Dr. Govinda Boudi
Signature of Medical Officer Name Dr. Govinda Boudi



9. The Petitioner was granted an option to ask for an RME, which was exercised by him. The respondents offered to hold the RME on 27.12.2025, however, the Petitioner opted out and did not present himself for the RME.

10. The Petitioner was therefore, ousted from the recruitment consideration and on 30.01.2026, Respondents have issued a list of shortlisted candidates for the stage of interview. It is admitted in the Petition that the interviews are scheduled to be conducted in the third week of February, 2026, wherein, the last date for submitting the detailed application form has been declared as 05.02.2026.

11. The Petitioner has thereafter on 05.02.2026 had himself examined from a hospital in Lucknow and has obtained an opinion which states that he is free and full in all gazes. The Petitioner relies upon this opinion to submit that the objection with respect to eyesight raised in DME dated 26.12.2025 does not survive for consideration.

12. The writ petition makes no reference to the observation of overweight of 15.7 kgs, however, the leaned counsel for the Petitioner during arguments has orally submitted that in the intervening period, Petitioner has lost 10kgs of weight and is presently overweight by 5.7 kgs. The said submissions are neither recorded in the Petition and there is no explanation for the non-mention.

13. The only submission raised in the arguments is that the Respondent's action of offering to hold the RME on the next date, i.e., 27.12.2025 was arbitrary and the Petitioner ought to have been given reasonable time to loose weight so as to bring himself in conformity with the height weight requirements published in the Recruitment Advertisement of 2023. To a



pointed query, learned counsel for the Petitioner was unable to state what would have been the reasonable time.

14. In the facts of this case, where one of the reasons for the Petitioner being declared unfit in the DME was his overweight of 15.7 kgs, this Court is unable to appreciate the submission of the Petitioner with respect to grant of reasonable period of time between DME and RME. The issue of weight requirement was in the knowledge of the Petitioner since it was duly published in the Recruitment Advertisement 2023 itself. Moreover, Petitioner has been regularly writing competitive exams and was therefore, aware about the physical fitness standards prescribed by the Respondents. We also note that the Petitioner qualified the written exam and knew the result on 28.10.2025 and was therefore aware as on 28.10.2025 that he would be required to meet the weight requirements at the DME. The DME was held after two months on 26.12.2025 and the Petitioner had sufficient time to achieve the ideal weight before the DME on 26.12.2025. The inability of the Petitioner to achieve the ideal weight and him being declared unfit on this ground does not show any arbitrariness in the procedure adopted by the Respondent.

15. In the facts of this case, the petitioner is not contending that the findings in the DME dated 26.12.2025 recording him as overweight are incorrect, but his contention is that he should have been given sufficient time by Respondents to reduce the weight, which sufficient time translates into indefinite extension of time, in practice.

16. The primary object of RME is to verify whether the deficiencies assessed in the DME are correct or not, so that no eligible candidate is excluded from the recruitment process. No doubt the Courts have also



opined that if the deficiency identified in the DME is curable in nature, the RME can be held after a reasonable period of time to assess the medical fitness of the candidate and verify if the deficiency has been cured. However, this would apply to medical deficiencies which are beyond the control of the candidate and have occurred organically during the Recruitment Selection Process or where the deficiency is such which can be cured within a reasonable time. However, we do not find merit in the submission of the petitioner that the time has to be extended indefinitely to permit the candidate to cure his deficiency. (**Deepak vs. Indian Coast Guard & Ors.**)² If such a contention of the petitioner is accepted, the Recruitment Process will be delayed indefinitely, whereas, the vacancies have to be filled up in a time bound manner.

17. In the judgment of **Peddinti Siva** (Supra) the Court was of the opinion in that case that the deficiency noticed for the candidate in the DME was a minor ailment, which was only known to the candidate during the DME stage. The Court opined that the said ailment was capable of cure and therefore, the candidate should be granted reasonable time to achieve fitness. In this background the Court directed afresh medical re-examination of the said party and opined there should be on a reasonable time gap between DME and RME. However, we have already discussed that the deficiency of the Petitioner regarding overweight in the facts of this case was already known to the petitioner and he had sufficient time to cure the same to meet the required medical standards before 26.12.2025. The reliance placed on the said judgment is, therefore, not of any assistance to this Petitioner.

² 2025 SCC OnLine Del 8835 at para no.14, 15 and 16



18. We are also of the considered opinion that the fact that the petitioner has approached the Court only on 07.02.2026, when the list of shortlisted candidates has been published on 30.01.2026 and called for interviews and similarly other candidates who have failed the DME have been ousted, granting an opportunity to the petitioner would create an unfair advantage in his favour. The present petition is therefore, also barred by delay and laches.

19. Accordingly, we find no merit in this petition and the same is dismissed. Pending applications are disposed of. No order as to costs.

20. Copy of the Order be given *Dasti* under the signature of the Court Master.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 10, 2026

tg/IB