
(2021) 09 DEL CK 0006

In the Delhi High Court

Case No : Civil Writ Petition No. 3763, 4135, 4139, 4141, 4142, 4145, 4194, 4198, 4208, 4218, 4223, 4291, 4651, 5724, 5738 Of 2021, Civil Miscellaneous Application No. 12574, 12584, 12591, 12594, 12600, 12751, 12758, 12789, 12814, 12825, 13048, 14309 Of 2021

Ramkanwar & Ors

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 01-09-2021

Acts Referred:

Citation : (2021) 09 DEL CK 0006

Hon'ble Judges : Manmohan, J;Navin Chawla, J

Bench : Division Bench

Advocate : Siddharth Mittal, Prabhat Kumar, Shilpa G Mittal, Vikrant N Goyal, Jaswant Rai Aggarwal, Abhishek Khanna, Dharendra Srivastava, Arijit Mukherjee, Dhamendra

Final Decision : Disposed Of

Judgement

Manmohan, J

The matter has been heard by way of video conferencing.

1. Present writ petitions have been filed seeking directions to the respondents to re-examine and re-conduct Medical test of the petitioners under supervision of concerned Medical Authorities and to constitute an Independent Medical Board at the Air Force Hospitals or any Government Hospitals to re-examine them.

2. Learned counsels for the Petitioners state that the petitioners have been declared medically unfit for the post of Airmen in Indian Air Force vide separate Medical Unfitness Certificates issued by the Appeal Medical Board on the basis of various ECG abnormalities.

3. Learned counsels for the Petitioners point out that the concerned Appeal Medical Boards have declared the Petitioners unfit in a mechanical and arbitrary manner without conducting any fresh ECG or ECHO test. They state that the

Appeal Medical Board was required to test the Petitioners for the abnormality afresh.

4. Today Mr. Vikrant N Goyal, learned counsel for the Respondents on instructions states that fresh ECG of the Petitioners shall be conducted by the Review Medical Board and the same will be evaluated by the Medical Specialist(s) in accordance with the policy of the Respondents. He assures this Court that the needful shall be done within ten days. He also states that the dates of fresh ECG examination will be communicated to the Petitioners through their counsel at least three days in advance. He assures this Court, on instructions, that the medical evaluation procedure for all candidates shall be completed within four weeks.

5. In view of the aforesaid statements, learned counsel for the Petitioners does not wish to press the present writ petitions any further.

6. The statements/undertakings given by the counsel for the parties are accepted by this Court and the parties are held bound by the same.

7. Accordingly, the present writ petitions along with pending applications stand disposed of.

8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.