

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.7254 OF 2025

(Arising out of SLP(C)No.13758 OF 2025)

DIVYANSHU SINGH

... APPELLANT

Versus

THE UNION OF INDIA & ORS.

... RESPONDENTS

O R D E R

1. Leave granted.

2. The appellant laid challenge to the judgment dated 17.04.2025, passed by the High Court of Judicature at Allahabad, whereby the High Court dismissed his writ petition seeking further opportunities to undergo medical test for recruitment to the post of Assistant Commandant in the Central Armed Police Force (CAPF).

3. On 24.04.2024, respondent No.2 released a notification for recruitment to the post of Assistant Commandant in the CAPF. The appellant appeared for the examination and was declared selected under the General Category vide notification dated 24.09.2024. The appellant appeared for the physical test and qualified for the same. However, he was declared unfit during the medical test held on 18.12.2024 on the ground that he had defective vision in both the eyes. Therefore, he was referred to the Medical Board. The Medical Board, on 19.12.2024, opined that the appellant suffers from 'glaucoma' and consequently declared him unfit due to the same

for recruitment to the post of Assistant Commandant. The appellant, thereafter, approached the All India Institute of Medical Sciences (AIIMS), Delhi. It is claimed that he was found medically fit. Relying upon the AIIMS report, the appellant approached the High Court by filing Writ A.No.1086/2025 and, as noticed earlier, the High Court dismissed the petition reasoning that the appellant cannot be permitted to undergo medical test for the third time.

4. The instant matter came up for hearing on 16.05.2025 before a Bench presided over by one of us (Dipankar Datta, J.), and the appellant was permitted to establish contact with Dr. Pradeep Venkatesh, Ophthalmologist, once again to ascertain as to whether the appellant is suffering from 'glaucoma' or not, and even if he is found to so suffer, whether it is of such extent to have a material bearing on his fitness to render service as a prospective member of the CAPF.

5. Pursuant to those directions, a Report has been received from the AIIMS, Delhi dated 27.05.2025. Along with that Report, there is an opinion dated 26.05.2025 rendered by a Medical Board comprising of six Professors/Assistant Professors/Associate Professors/Additional Professors/Sr. Tech. Officer of Ophthalmology that "there is no evidence of 'glaucoma' on clinical examination of both eyes".

6. In view of the above-mentioned Report given by AIIMS, Delhi, one of the premier institutes of the country, it seems to us that the ground on which the appellant was held to be unfit, no longer survives and there being no other impediment, the appellant deserves to be considered for appointment as an Assistant

Commandant in the CAPF. Ordered accordingly.

7. It goes without saying that the respondents will closely observe the performance of the appellant while he is on probation to see that the suspected ailment, which has not been found at this stage by the Medical Board of AIIMS, does not cause any impediment in the performance of his duties. In fact, the scheme of the Rules/Regulations governing service conditions of the officers/officials of the para-military forces sufficiently take care of such an eventuality even after an appointee on probation has successfully completed his period of probation.

8. With liberty aforementioned to the respondents, they are directed to call the appellant for interview on the premise that he is medically fit. In case the appellant qualifies in the interview, in that event he shall be offered appointment for the post of Assistant Commandant.

9. The appeal stands allowed to the aforesaid extent.

10. As a result, the pending interlocutory applications stand disposed of.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

NEW DELHI;
MAY 29, 2025.

ITEM NO.34

COURT NO.2

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).13758/2025

[Arising out of impugned final judgment and order dated 17-04-2025 in WRIT-A No.1086/2025 passed by the High Court of Judicature at Allahabad]

DIVYANSHU SINGH

Petitioner(s)

VERSUS

THE UNION OF INDIA & ORS.

Respondent(s)

FOR ADMISSION and I.R.

IA No. 133517/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 121735/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 121739/2025 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS

Date : 29-05-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mr. Aditya Kumar Choudhary, Adv.
 Mr. Dhurva Shankar Mishra, AOR
 Mr. Sandeep Kr.Pandey, Adv.
 Mr. Saurav Kumar, Adv.
 Mr. Rajesh Kumar, Adv.
 Mr. Utkarsh Kumar, Adv.
 Ms. Geeta Shakya, Adv.

For Respondent(s) Ms. Archana Pathak Dave, A.S.G.
 Ms. Harshita Choubey, Adv.
 Mr. Chitrangda Rashtravara, Adv.
 Ms. Shagun Thakur, Adv.
 Mr. Arvind Kumar Sharma, AOR

Mr. Hrishikesh Baruah, Adv.
 Mr. Uttakarsh Dwivedi, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

Leave granted.

The appeal stands allowed to the extent indicated in the signed order.

As a result, the pending interlocutory applications stand disposed of.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR

(Signed order is placed on the file)