

ITEM NO.53

COURT NO.12

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).
19282-19283/2017

(Arising out of impugned final judgment and order dated 19-02-2016 in WP No. 1299/2016 19-02-2016 in CMA No. 5745/2016 passed by the High Court Of Delhi At New Delhi)

ABDUL HAMID

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 11-01-2018 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. Ravi Prakash Mehrotra, AOR
Mrs. Deepti R. Mehrotra, Adv.
Mr. Vibhu Tiwari, Adv.
Mr. Ankit Agarwal, Adv.

For Respondent(s) Ms. Geeta Luthra, Sr. Adv.
Ms. Shivani Luthra Lohiya, Adv.
Mr. Karan Nagrath, Adv.
Mr. Merusagar Samantaray, Adv.
Ms. Swarupama Chaturvedi, Adv.
Ms. Lhingneivah, Adv.
Mr. B. V. Balaram Das, AOR

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

Heard the learned counsel appearing for the parties.

Apparently, the petitioner has been rejected for the post of Constable (Driver) in the CISF on the ground that there was amputation (partial) of his left middle finger, which is likely to affect his working as a member of the staff. Medical evidence certificates were obtained, and a Review Medical Board went into the petitioner's problem, and ultimately opined that it would

interfere with the performance of his duties. A Writ Petition filed against the said decision was dismissed by the impugned judgment.

We are of the tentative view that amputation (partial) on the left middle finger does not directly interfere with the performance of his duties as Constable (Driver). This is something that is best left to the independent Medical Board, which will be constituted by the Army Hospital (R&R), Delhi Cantt.

The petitioner will appear before this Authority after eight weeks. The aforesaid Authority, after examining the petitioner, will submit its Report to this Court within a period of four weeks.

List thereafter.

(R. NATARAJAN)
COURT MASTER (SH)

(SAROJ KUMARI GAUR)
COURT MASTER