

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

% *Judgment reserved on : 21.05.2026*
Judgment delivered on : 01.07.2026

+ **W.P.(C) 13759/2024 & CM APPL. 57674/2024**

ANKIT MAAN

.....Petitioner

Through: Mr. Ankur Chhibber, Mr. Anshuman Mehrotra, Mr. Arjun Panwar, Ms. Amrit Koul, Ms. Muskaan Dutta, Mr. Prahil Sharma & Ms. Aditi Kapoor, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Vinod Sawant, Law Officer, Insp Athurv & Mr. Ramniwas Yadav, CRPF
Mr Ajay Pal A/C Law, CRPF
Ms. Shubhra Parashar, Mr. Virender Pratap Singh Charak and Mr. Pushpender Pratap Singh Advocates

+ **W.P.(C) 13766/2024 & CM APPL. 57694/2024**

PRADHAN CHOUDHARY

.....Petitioner

Through: Mr. Ankur Chhibber, Mr. Anshuman Mehrotra, Mr. Arjun Panwar, Ms. Amrit Koul, Ms. Muskaan Dutta, Mr. Prahil Sharma & Ms. Aditi Kapoor, Advs.

versus



UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Vinod Sawant, Law Officer, Insp Athurv & Mr. Ramniwas Yadav, CRPF
Mr Ajay Pal A/C Law, CRPF
Mr. Ruchir Mishra, Mr. Sanjiv Kr Saxena, Mr. Mukesh Kr Tiwari, Ms. Reba Jena Mishra & Ms. Poonam Shukla, Advs.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

J U D G M E N T

AMIT MAHAJAN, J.

1. Through the present writ petitions, the Petitioners essentially challenge the findings of the medical examination and the review medical examination rendered *vide* letters dated 30.08.2024 and 03.09.2024 respectively whereby the Petitioners were declared 'unfit' for being considered for the post of Assistant Commandant (GD) through Limited Departmental Competitive Examination - 2023 in CAPF on account of them having a *Tattoo on right forearm* (Saluting Arm).

2. Succinctly stated, the pertinent facts germane to the adjudication of the present petitions are as follows:

2.1. The Petitioner in W.P.(C) 13759/2024 joined the Central Reserve Police Force (CRPF) at the post of Sub Inspector on 16.02.2012 whereas the Petitioner in W.P.(C) 13766/2024 joined the



CRPF at the Post of Constable on 26.04.2010. Subsequently, the Petitioners in the respective petitions were promoted to the rank of Inspector in the years 2022 and 2023 respectively.

2.2. Thereafter, whilst being in service, the Petitioners applied for selection to the post of Assistant Commandant (GD) in CAPFs through Limited Departmental Competitive Examination – 2023 against the advertisement dated 08.04.2024. The Petitioners appeared for the written examination on 30.06.2024 and also cleared the same as is evident from the list of candidates issued by the Respondents on 13.07.2024.

2.3. After passing the written examination, the Petitioners participated in the Physical Standard Test as well as Physical Efficiency Test. *Vide* the result published on 29.07.2024, the Petitioners were found fit in both the Physical Standard Test and the Physical Efficiency Test. Thereafter, the Petitioners appeared for detailed medical examination on 30.08.2024, however, were found unfit on account of a *Tattoo on the right forearm*.

2.4. Following the same, the Petitioners applied for review medical examination which was conducted on the next day that is, on 31.08.2024. In the Review Medical Examination Report as well dated 03.09.2024, the Petitioners were found unfit for the reason that they had a *tattoo on right forearm*. Aggrieved by the same, the Petitioners have preferred the present writ petitions.



3. The learned counsel for the Petitioners submitted that the ground taken by the Respondents to declare the Petitioners as *unfit* is not tenable because the advertisement issued by the Respondents nowhere provided for a bar on having a *tattoo* on any part of the body. He submitted that the Guidelines for Recruitment Medical Examination in CAPF and Assam Rifles (as revised on May 2015) provide for various skin diseases that may lead to rejection of a candidate on medical grounds. He however submitted that while Chapter XII Clause 11 Sub Clause (3) deals with criteria to determine permissibility of a *tattoo*, the same nowhere mentions that having a *tattoo*, by itself, would culminate into a ground for unfitness of the candidate.

4. He submitted that the review medical board was convened only one day after the medical examination was conducted and the same prevented the Petitioners from removing any imperfection that rendered them unfit.

5. He submitted that the Petitioners were already serving as Inspector in CRPF when they applied for LDCE – 2023, however, during the course of their service, having a *tattoo* never posed any challenge or setback. He submitted that the same became a ground for rejection only when the Petitioners applied for the higher post of Assistant Commandant through LDCE – 2023. He submitted that even otherwise, the Petitioners have promptly undergone a surgery and have removed the *tattoo*.



6. He prayed that since the Petitioners have already removed the *tattoo*, the Respondents be directed to constitute a Review Medical Board to re-examine the case of the Petitioners. He relied on the judgments passed by this Court in *Nihal Singh vs. Union of India and Others: 2023 SCC OnLine Del 3264*, *Pradeep vs. Union of India and Others: 2022 see OnLine Del 1497*, *Shubham Sharma vs. Union of India and Others: 2022 SCC OnLine Del 3726*, *Vineet Kumar Meena v. Union of India and Others: 2022 see OnLine Del 3939*, *Sachin Kumar vs. Union of India and Others: W.P.(C) No. 1762 of 2024*, *Rahul Kumar vs. Sashastra Seema Bal and Anr: W.P.(C) No.7871 of 2024* and submitted that on previous occasions as well when the respective candidates therein were declared unfit and the same continued in the Review Medical Examination, Coordinate Benches of this Court has permitted such candidates to undergo yet another Review Medical Examination after the removal of the imperfection.

7. *Per contra*, the learned counsel for the Respondents, at the outset, submitted that the vacancies for the said post against which the advertisement was issued has already been filled and as such no substantive relief can be granted to the Petitioners. He, however, submitted that the rejection of the candidature of the Petitioners was in accordance with revised Medical Guidelines issued by MHA vide OM No.A.VI- 1/20014-Rectt(SSB) dated 20.05.2015, OM F.NoE. 32012/ADG(Med)/DME&RME/ DA-1/2020 (Part File)/1166 dated 31-05-2021 and amended from time to time for recruitment of GOs



and NGOs in the CAPFs and AR. He submitted that as per the guidelines only *tattoos marked on traditional sites of the body like inner aspect of the forearm, but only left forearm, being non-saluting limb or dorsum of the hands with size less than 1/4 of the particular part (Elbow or Hand) of the body* are to be allowed.

8. He submitted that the rules do not bar conduction of the review medical examination on the next day itself and submitted that as such the Respondents cannot be faulted for conducting the review medical examination on the next day itself.

9. He submitted that the cases relied upon by the Petitioners do not bolster their case since the same pertained to direct recruitment, however, the Petitioners herein sought promotion through LDCE. He relied upon the judgment passed by a Coordinate Bench of this Court in the case of *Gedela Chandra Sekhara Rao v. Union of India and Anr: 2024:DHC:9646-DB* and submitted that in the said case as well the Petitioner therein was declared unfit for appointment to the post of Assistant Sub-Inspector (Executive) through LDCE – 2022 on account of presence of a tattoo on his left forearm and on the left side of his chest. He submitted that in the said case, the Petitioner therein had argued that since the tattoo could easily be removed, the Respondents therein ought to have given time to the Petitioner to have the same removed before conducting his RME. He submitted that even still, the Court dismissed the petition noting that the Petitioner therein already being a member of the Armed Forces should have known that the



presence of a tattoo on the outer surface of the left forearm is prohibited despite which the tattoo was retained. He consequently submitted that no relief can be granted to the Petitioners in the present case as well.

Analysis

10. The Petitioners are essentially aggrieved by the findings of the medical examination and the review medical examination whereby the Petitioners were declared 'unfit' for being considered for the post of Assistant Commandant (GD) through LDCE - 2023 in CAPF on account of them having a *Tattoo on right forearm* (Saluting Arm).

11. This Court has considered the rival contentions pressed by the parties. Before this Court adverts to examine the case on its merits, it is pertinent to note that the Guidelines for Recruitment Medical Examination in CAPF and Assam Rifles (as revised on May 2015) do not prescribe an absolute bar on having tattoos. The Guidelines rather provide the permissible extent and nature of tattoos thereof in the following words:

3) Tattoo: The practice of engraving / tattooing in India is prevalent since time immemorial, but has been limited to depict the name or a religious figure, invariably on inner aspect of forearm and usually on left side. On the other hand the present young generation is considerably under the influence of western culture and thus the number of potential recruits bearing skin art had grown enormously over the years, which is not only distasteful but distract from good order and discipline in the force. Following criteria are to be used to determine permissibility of tattoo:



- a) *Content- being a secular country, the religious sentiments of our countrymen are to be respected and thus tattoos depicting religious symbol or figure and the name, as followed in Indian army, are to be permitted.*
- b) *Location- tattoos marked on traditional sites of the body like Inner aspect of forearm, but only LEFT forearm, being non saluting limb or dorsum of the hands are to be allowed.*
- c) *Size- size must be less than ¼ of the particular part (Elbow or Hand) of the body.”*

12. As is evident from a reading of the guideline as quoted *supra*, the rules do not *per se* stipulate an embargo on having a *tattoo*. They only provide the permissible location, content and size of the tattoo.

13. In the present case, concededly, the Petitioners possessed a tattoo on the right forearm which is not permissible as per the rules. The Petitioners have pointed out that they possessed a tattoo when they were inducted in service as well. The said fact has not been controverted by the Respondents. It is only while seeking promotion through LDCE that the Petitioners came to be declared unfit in the medical examination conducted on 30.08.2024 on the premise that the Petitioners possessed a *tattoo on the right forearm*. Thereafter, the review medical examination was conducted on the very next day, that is, on 31.08.2024 and the Petitioners were once again found unfit for the reason that they had a *tattoo* on the right forearm.

14. At the outset, it is imperative to appreciate that a Coordinate Bench of this Court in ***Gedela Chandra Sekhara Rao v. Union of India*** (*supra*) has already dismissed a similar petition and this Court finds no reason to take a different view on the issue.



15. It is stressed that the Petitioners underwent a surgery and got the tattoo removed immediately after they were found unfit in the review medical examination and that they had remained in unhindered service. Be that as it may, the Petitioners who are already members of the Disciplinary Force cannot be permitted to plead ignorance of revised medical guidelines, more particularly when they are seeking selection to the post of Assistant Commandant through LDCE.

16. It is also argued that the review medical examination was conducted on the very next day of the detailed medical examination, which prevented the Petitioners from remedying the defect. Insofar as the conduction of the review medical examination on the very next day is concerned, in the opinion of this Court, fault cannot be ascribed to the Respondents. As per paragraph 3 of Annexure 'A' to MHA's OM F.No.-E.32012/ADG (Med)/ DME & RME/DA-1/2020 (Part File)/1166 dated 31.05.2021, the Review Medical Examination is to be conducted in continuation of Detailed Medical Examination *preferably* on the next day. Thus, on this aspect, fault cannot be attributed to the Respondents merely because the review medical examination was conducted on the next day.

17. Furthermore, the eligibility of the Petitioners is required to be examined on the last day of submitting the application. In exercise of powers of judicial review, the Court is not expected to provide an additional opportunity to the Petitioners. Consequently, subsequent



removal of the tattoo would not cure the ineligibility suffered by the Petitioners.

18. In the present case, there is no challenge to the correctness of the revised medical guidelines issued by MHA. The existence of tattoos which are not permissible as per the revised guidelines is not disputed by the Petitioners. Thus, the Petitioners were ineligible to be considered for promotion as Assistant Commandant through LDCE. Even if the Petitioners have now had the tattoos removed, they can reap no benefit for the same in the present proceedings and they may apply for the next examination.

19. As per the stand of the Respondents, all the vacancies which were sought to be filled through LDCE have already been filled in. The Petitioners have not impleaded the selected candidates. Allowing the Writ Petitions filed by the Petitioners would adversely impact the already selected and appointed candidates who have not been impleaded as parties. Hence, the writ petition is bad for non-joinder of parties.

20. In view of the aforesaid discussion, having considered the matter in light of revised guidelines issued by the Ministry of Home Affairs in the year 2015, which were subsequently amended from time to time, this Court is of the opinion that the Petitioners do not deserve the desired relief.



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21. The present petitions are accordingly dismissed. Pending applications also stand disposed of.
22. A photocopy of the judgment be kept in the connected matter.

AMIT MAHAJAN, J.

ANIL KSHETARPAL, J.

JULY 1, 2026
“SS”