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

+ **W.P.(C) 19299/2025**

AKHILESH KUMAR

.....Petitioner

Through: Mr. Rajesh Chauhan and Mr.
G.D. Chawla, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Subodh Kumar Kaushik
SPC, Mr. Rajat Mohan Dwivedi GP, Mr.
Yash Singh Adv.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER

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23.12.2025

1. The petitioner's candidature for the post of Constable (GD) in CAPFs stands cancelled on the ground that he had a tattoo in his right forearm.

2. Concurrent findings to this effect were returned by the Detailed Medical Examination and Review Medical Examination of the petitioner, which took place within five days of each other.

3. The petitioner had submitted that the tattoo has since been removed.

4. We, therefore, called upon the respondents as to whether they



were agreeable to have the petitioner re-examined to ascertain whether he is still having the tattoo.

5. The respondents are not agreeable to this course of action.
6. *Prima facie*, we are of the opinion that the tattoo is merely a temporary feature on the skin and once it is removed, there is no reason why the candidate should not be re-checked.
7. Nonetheless, in view of the submissions of learned Counsel, we have no option but to issue notice to show cause as to why rule *nisi* be not issued.
8. Notice is accepted on behalf of the respondents by Mr. Subodh Kumar Kaushik, SPC.
9. Counter affidavit, if any, may be filed within three weeks with advance copy to learned Counsel for the petitioner, who may file rejoinder thereto, if any, within one week thereof.
10. Re-notify on 9 February 2026 for disposal.

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11. Issue notice.
12. Notice is accepted on behalf of the respondents by Mr. Subodh Kumar Kaushik, SPC.



13. Reply, if any, may be filed within three weeks with advance copy to learned Counsel for the petitioner, who may file rejoinder thereto, if any, within one week thereof.

14. Till the next date of hearing, the respondents are directed to keep one post of Constable (GD), following the selection process in which the petitioner participated, vacant, till further orders.

15. Re-notify on 9 February 2026 for disposal.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

DECEMBER 23, 2025/AT