

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 255/2026

Sachin Kalwaniya Son Of Shri Vijay Singh Kalwaniya
-----Petitioner
Versus
Union Of India
-----Respondent

Connected With

S.B. Civil Writ Petition No. 4800/2025

Kalu Ram Khatik Son Of Shri Gheesa Lal
-----Petitioner
Versus
Union Of India
-----Respondent

S.B. Civil Writ Petition No. 13802/2025

Dheeraj Singh Son Of Shri Dileep Singh
-----Petitioner
Versus
Union Of India
-----Respondent

S.B. Civil Writ Petition No. 20664/2025

Gopal Singh Gurjar Son Of Shri Vijendra Singh Gurjar
-----Petitioner
Versus
Union Of India
-----Respondent

For Petitioner(s)	:	Mr. Sunil Kumar Saini
For Respondent(s)	:	Mr. Prashant Chaturvedi with Ms. Nandani Chaturvedi Mr. Ashish Kumar Mr. Gaurav Jain

HON'BLE MR. JUSTICE SAMEER JAIN

Order

30/01/2026

1. At the outset, learned counsel for respondents have submitted as per guidelines, mentioned in the advertisement form

vis-a-vis the recruitment in question, to carry out general examination qua medical examination, a detailed set of instructions were formulated. As per the said guidelines, there are general grounds for rejection and the same are with an exception of minor acceptable defects.

2. It is submitted that in the lead petition i.e. SBCWP No.255/2026 (Sachin Kalwaniya v. Union of India) – taken up with due consensus of learned counsel representing various parties, the reason for rejection as certified by Medical Board/ Review Board of the respondents was a medical condition of “cubitus valgus”. It is submitted that the same can be accepted with a carrying angle up to twenty degrees. It is further submitted that in the doubtful cases, generally the examination/matter/report is referred to the Experts; nonetheless, in the instant case, the Medical Board has initially noted that there is a carrying angle more than twenty degrees, and the same was maintained in the review and even the expert opinion of radiologist affirmed the same. Thence, the present petitions are bereft of any merits.

3. At this juncture, learned counsel for the petitioner has refuted the contentions levelled by the learned counsel for the respondents and has submitted that the petitioner-Sachin Kalwaniya approached one of the government hospital, Rajkiya Shri Kalyan Chikitsalaya (Annexure.5), whereby the specialized MS orthopedics, upon due analysis stated the carrying angle @ eighteen degree and sixteen degree. In the light of the same, it is prayed that a Medical Board should be constituted for re-examination of the petitioners.

4. Learned counsel in support of the said contentions has placed reliance upon judgment of this court in **SBCWP No.20297/2025** titled as **Rati Ram Saini Vs. Union of India & Ors.** and **SBCWP No.17749/2024** titled as **Ramkala Verma Vs. Union of India & Ors.**

5. Conversely, learned counsel for respondents vehemently submitted that the respondents conduct the medical examination under certain PET/ PST evaluation; in consonance with the detailed guidelines for the same, which were appended in the advertisement, moreso, were duly accepted by the petitioner(s) as by filling of application form and appearing in the recruitment process. It is submitted that the respondents have a specialized team and the order/report of the said team of medical in review and original is binding upon the petitioners. It is affirmed that in case of any dubiousness or ambiguity, they refer the matter to the Experts; so as done in the matter at hand. However, the initial report is affirmed and upheld by the Expert Committee/authority also.

6. It is further submitted that reliance placed by counsel for the petitioner on Annexure.5 is misconceived, as the said prescription is without any cogent basis, logic and without any rational reasoning as to how carrying angle for the petitioner was measured at eighteen degree and sixteen degrees.

7. Heard and perused the same.

8. The undersigning authority of Annexure.5 is directed to remain present in the Court, on the next date of hearing, to elucidate and clarify the following:

- (a) whether he was aware about ascertainment of carrying angle by the respondents @ more than 20 % or not;
- (b) whether he has authored Annexure.5 himself or it was formulated by any subordinate;
- (c) whether the same was on the basis of some X-ray/ material, which was placed by the petitioner;
- (d) whether simpliciter evaluation of the carrying angle was the duty of the respective authority or not.

9. It is noted by this Court on multiple occasions that matters pertaining to medical re-evaluation, wherein deviation prescriptions are written by the concerned doctors is recorded, approaches the Court. Whether the said reports are consciously written, being aware of any PET/ PST result or not, whether they are authorized to take this view or not, still remain under the gray area and dubiousness. To attain clarity on the said issue and the modus followed by the medical authorities, in order to formulate evaluation or medical fitness report, this Court directs the Principal, SMS Medical Hospital to render due assistance as *amicus curiae*, to this Court, along with the guidelines thereto.

10. Registrar (Judicial) is directed to send a copy of this order to the concerned Principal, SMS Medical Hospital, Jaipur.

11. The matters as are substantially heard in bunch are **admitted** and the same be marked as **part heard**.

12. List the matter on 12.02.2026 at 02:00 pm before this Court.

(SAMEER JAIN),J