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

CNR No. DLHC010486452019

+ **W.P.(C) 13146/2019 & CM APPL. 53543/2019**

GANATRA KOMAL PRAVINBHAIPetitioner

Through: Dr. Amit George, Mr. Shashwat Kabi, Mr. Arnav Bhansali, Ms. Medhavi Bhatia, Ms. Muskan Shalya, Mr. Vaibhav Gandhi, Mr. Zubin John, Mr. Dushyant K. Kaul, Mr. Adhishwar Suri, Ms. Tanushree Gupta, Ms. Rupam Jha, Advs.

versus

UNION OF INDIA & ORSRespondents

Through: Mr. Jaswinder Singh, Adv. for R-1.
Mr. S.M. Zulfiqar Alam, Adv. for R-2.
Mr. K.K. Raib, Sr. Adv. with Mr. R. V. Sinha , Mr. A. S. Singh, Ms. Shriya Sharma and Mr. Subham Khare, Advs. for R-4.
Mr. Padmakumar. S, Adv. for R-5.
Mr. Vedansh Anand, SPC with Mr. Shivam Kumar GP for UOI.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MS. JUSTICE SHAIL JAIN

ORDER

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03.09.2026

1. Order dated 02.09.2026 reads as follows:



“1. Learned counsel representing the Petitioner submits that the Medical Board as well as the Appellate Medical Board found that Respondent Nos.4 and 5 were not entitled to the benefit of reservation under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. However, it is submitted that a Super Appellate Board was thereafter constituted by the Respondents with a view to manipulating the process for granting the benefit of reservation to Respondent Nos.4 and 5.

2. It is further submitted that the benefit of reservation is available only in cases of pathological myopia and not in cases of simple myopia.

3. Learned counsel representing the Union of India, on being confronted with the aforesaid submissions, seeks and is granted an adjournment.

4. List for final disposal on 03.09.2026 in the Supplementary List.

5. It is clarified that no further request for adjournment shall be entertained.”

2. Learned Counsel appearing for the Union of India is directed to file an affidavit of an officer not below the rank of Secretary, stating whether the practice of constituting a Review Medical Board after the Appellate Medical Board has rendered its opinion is being followed across the Board.

3. List on 14.09.2026 in the Supplementary List.

ANIL KSHETARPAL, J.

SHAIL JAIN, J.

SEPTEMBER 03, 2026/kp/rm