



न्यायालय मुख्य आयुक्त

**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**

दिव्यांगजन सशक्तिकरण विभाग / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार/ Government of India

**Case No.** CCPD/15686/1031/24

**Dated:** 12/09/2025

**In the matter of —**

Mr Mithilesh Kumar

**... Complainant**

**Versus**

The Medical Superintendent,  
Safdarjung Hospital  
New Delhi – 110029

**... Respondent**

**1. Gist of the Complaint:**

1.1 Mr Mithilesh Kumar filed a complaint dated 20.08.2024 regarding the denial of eligibility for admission to the MBBS Course on the grounds of disability of his son, Mr Paarth Kumar, a person with 56% Locomotor Disability (Muscular Dystrophy).

1.2 The Complainant submitted that Mr Paarth Kumar has been diagnosed with muscular dystrophy, which is one of the benchmark disabilities. The detailed analysis of the upper limbs shows that —

- (i) there is no visible deformity on both upper limbs;
- (ii) sensations for heat, cold, light and deep touch are intact in all limbs;
- (iii) no restriction in any movement of the right shoulder, both elbow joints, both wrists and interphalangeal joints of both hands;
- (iv) he has an inability to lift (abduct) his left arm above the head, yet he can lift it to 120 degrees.

5वीं मंजिल, एनआईएसडी भवन, प्लॉट नं०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275  
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075; Tele# 011-20892364,  
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E-mail: [ccpd@nic.in](mailto:ccpd@nic.in); Website: [www.ccdisabilities.nic.in](http://www.ccdisabilities.nic.in)

(पया भविष्य में पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)

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It does not hinder his daily chores like combing hair, buttoning shirts, etc. This inability is due to scapular winging and muscular dystrophy of the peri-scapular muscles.

(v) The power in his right upper limb is good, and in the left upper limb is reasonably good.

(vi) Grip of the right hand is very good, and that of the left hand is fairly good;

(vi) He can hold things with his left hand too.

1.3 The Complainant prayed that Mr. Paarth Kumar be allowed to pursue his dream career, medicine, and that he be given the benefit of a person with disability for NEET with 56% until the final orders. He should be allowed to register for counselling, and a seat should be blocked for him in the medical colleges in Delhi.

**2. Notice issued to the Respondent:**

In exercise of the powers conferred u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016 [hereinafter referred to as "the Act"], a notice dated 22.08.2024 was issued to the Respondent – The Medical Superintendent, Safdarjung Hospital, New Delhi, to forward their comments on the affidavit on the complaint within 30 days.

**3. Additional submission by the Complainant:**

The Complainant vide email dated 23.08.2024 withdrew his complaint, stating that he has approached the Hon'ble High Court of Delhi upon legal advice received by his counsel.

**4. Observations & Recommendations:**

4.1. Since the Complainant has withdrawn his complaint no further intervention is warranted in this case.

4.2. Accordingly, the case is closed as withdrawn.

4.3. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

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**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

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