

GAHC010192792023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5077/2023

MAJAR ALI
S/O BILLAL HOQUE VILLAGE MARALARTARI, P.O KAYAKUCHI , P.S AND
DISTRICT- BARPETA, ASSAM, PIN - 781352

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE SECRETARY, MINISTRY OF HOME AFFAIRS,
GOVERNMENT OF INDIA, NORTH BLOCK, NEW DELHI- 110001.

2:THE DIRECTOR GENERAL
CENTRAL RESERVE POLICE FORCE
BLOCK NO 1
CGO COMPLEX
LODHI ROAD
NEW DELHI- 110001

3:THE INSPECTOR GENERAL
NE SECTOR

CRPF
STONY HEAVEN
BISHOP COTTON ROAD
SHILLONG- 793001

4:THE DEPUTY INSPECTOR GENERAL OF POLICE

GROUP CENTRE
CRPF
AMERIGOG
GUWAHATI -781023

5:THE STAFF SELECTION COMMISSION (SSC)
REPRESENTED BY ITS CHAIRMAN
BLOCK 12 CGO COMPLEX
LODHI ROAD
NEW DELHI - 110003

6:THE MEDICAL OFFICER
DETAIL MEDICAL EXAMINATION BOARD (DME) GROUP CENTRE
CRPF
AMERIGOG
GUWAHATI -781023

7:THE PRESIDING OFFICER
REVIEW MEDICAL EXAMINATION BOARD (RME) GROUP CENTRE
CRPF
AMERIGOG
GUWAHATI- 78102

Advocate for the Petitioner : MR S H SIKDAR, MR. Y S MANNAN,MS S ABDULLAH

Advocate for the Respondent : DY.S.G.I., MRS. A GAYAN

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 25.09.2024

Heard Mr. Y.S. Mannan, learned counsel for the petitioner. Also heard Mrs. A. Gayan, learned CGC for the respondents.

2. By way of this petition under Article 226 of the Constitution of India, the petitioner is assailing the Medical Report dated 03.08.2023 issued by the Detailed Medical Examination (DME) Board, CRPF, Group Centre, Amerigog and 05.08.2023 issued by the Review Medical Examination (RME) Board, CRPF, Group Centre, Amerigog to the petitioner, whereby the petitioner was declared 'Unfit' for recruitment to the post of Constable (GD) in Central Armed Police

Forces (CAPFs) for the year 2022 due to Hypertension and B/L little finger deformity.

3. It is submitted at the bar that this Court in the case of a similarly situated person has disposed of a writ petition being WP(C) No. 6214/2017 with the direction to the authorities to cause a medical examination of the petitioner therein before the Gauhati Medical College, Guwahati in the presence of the doctors of the CRPF.

4. It is further submitted at the bar that this writ petition can also be disposed of in similar lines.

5. In view of the aforesaid endorsement made by the learned counsels for the parties, I am of the opinion that this writ petition can also be disposed of in terms of the Order dated 13.02.2019 in WP(C) No. 6214/2017 by directing that the authorities will cause a medical examination of the petitioner before the Gauhati Medical College, Guwahati where the doctors of the CRPF will be also present.

6. Ordered accordingly.

7. Since the Gauhati Medical College, Guwahati is not a party in this proceeding, the respondent No. 4, i.e., The Deputy Inspector General of Police, Group Centre, CRPF, Amerigog will write to the Superintendent of Gauhati Medical College, Guwahati for conducting a medical test of the petitioner as regards Hypertension and B/L little finger deformity of the petitioner, which may be conducted in the presence of two Medical Officers as may deputed by the CRPF authority before the Gauhati Medical College, Guwahati.

- 8.** The Superintendent of Gauhati Medical College may thereafter, conduct a medical test in terms of this direction of this Court.
- 9.** Copies of this order be furnished to Superintendent of Gauhati Medical College as well as the respondent No. 4 for doing the needful.
- 10.** The respondent No. 4 will duly intimate the petitioner in advance of the date, time and venue of the said medical test which may be conducted.
- 11.** The aforesaid exercise shall be undertaken within a period of 1 (one) month from the date of receipt of a certified copy of this order.
- 12.** With the above observation and direction, the writ petition stands disposed of.

JUDGE

Comparing Assistant