



Serial No.32
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 392 of 2024

Date of Decision: 24.10.2025

Shri. Rohan Thakur,
Son of Kashi Nath Thakur.

...Petitioner

-Versus-

1. Union of India,
Represented by its Secretary to the
Government of India,
Ministry of Home Affairs, North Block,
New Delhi – 110001.
2. The Directorate General,
Central Reserve Police Force
(Recruitment Branch), New Delhi.
3. The President Officer,
ARASU, Happy Valley, Shillong Centre,
DV/DME of combined Rect. Rally for
Constable (GD), in CAPFs, SSF and
Rifleman (GD), in AR-2024.
4. The Chief Medical Officer (SG),
ARASU, Happy Valley, Shillong
DV/DME of combined Rect. Rally for
Constable (GD), in CAPFs, SSF and
Rifleman (GD), in AR-2024.
5. The Review Medical Examination Board,
Composite Hospital, BSF, Shillong.

...Respondents



Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S.Chanda, Adv.
Mr. B.Snaitang, Adv.

For the Respondent(s) : Dr. N.Mozika, DSGI with
Ms. M.Myrchiang, Adv.

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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |
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JUDGMENT AND ORDER (ORAL)

1. Heard Mr. S.Chanda, learned counsel for the petitioner and Dr. N.Mozika, learned DSGI assisted by Ms. M. Myrchiang, learned counsel on behalf of the respondents.

2. The petitioner is before this Court with a prayer to not give effect to the impugned Review Medical Examination report dated 15-10-2024, and to direct the respondents to constitute another medical board to conduct fresh examination of the petitioner.



3. The brief facts are that the petitioner had qualified through the general recruitment for the post of Constable (GD), and had also passed the physical efficiency test and physical standard test, and thereafter, was called for detailed medical examination. The petitioner, however, on the detailed examination conducted by the Medical Board of the respondent No. 2, found the petitioner unfit due to the following reasons:

- (i) Defective distant vision (6 / 9 B / L).
- (ii) Scoliosis, dropping of Lt shoulder.
- (iii) Tongue tie.

4. The petitioner thereafter, preferred an appeal on 04-10-2024 for review medical examination, and accordingly, the petitioner's case was referred to the Composite Hospital of the BSF for review medical examination. The petitioner however, after undergoing the review medical examination, was again found unfit with the reasons that as per the X-ray report, he was diagnosed with levoscoliosis of dorsal spine with cobb's angle-18. To further confirm the X-ray diagnosis, HRCT of Thorax was done which also showed scoliotic deformity of the upper dorsal vertebrae with apex vertebra at D3 and cobb's angle of 20. Based on the X-ray and CT scan the petitioner was found unfit on the ground of scoliosis.



On this finding, the petitioner has preferred the instant writ petition with the aforementioned prayer.

5. In the course of the proceedings, this Court to ascertain the correct medical position, had by an order dated 31-07-2025, directed for professional assistance/opinion from a Medical Officer to offer an expert medical opinion.

6. Accordingly, on 05-09-2025, Dr. Surekha Rani, Comdt/CMOSG tendered her expert opinion in open court, on the medical reports of the writ petitioner. The order dated 05-09-2025, being relevant is reproduced hereinbelow in its entirety:

“HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 392 of 2024

Date of Order: 05.09.2025

Shri. Rohan Thakur

Vs. Union of India & Ors.

Coram:

Hon’ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. R.Dutta, Adv.

Mr. S.Khyriem, Adv.

For the Respondent(s)

*: Dr. N.Mozika, DSGI with
Ms. M.Myrchiang, Adv.*



Dr. Surekha Rani, Comdt/CMOSG is present today to tender her expert opinion on the medical reports of the writ petitioner.

On presentation of the review medical examination report dated 15-10-2024, the Doctor has opined that at Sl. 2, the writ petitioner was found unfit on account of Scoliosis of Dorsal Spine Cobb's Angle of 20%, which she submits is unacceptable as the acceptable limit is 10%.

When shown the report obtained from the North Eastern Indira Gandhi Regional Institute of Health and Medical Sciences (NEIGRIHMS), Shillong, dated 21-10-2024, the Doctor has opined that in this report also, the curvature of spine between T1 – T6 is 20%. She further submits that as per the findings of the NEIGRIHMS, Shillong also, the writ petitioner is unfit for recruitment.

Accordingly, list this matter on 17-09-2025 for further orders.

The Court acknowledges the assistance rendered by Dr. Surekha Rani, Comdt/CMOSG.

*Sd/-
Judge”*

7. Thus, on the rendering of the expert opinion, and on the facts and circumstances of the case, this Court finds that the petitioner, for the said medical condition is not fit to be recruited in CAPF as Constable. Further, it is noted that it is not a case that the petitioner had not been given adequate opportunity, inasmuch as, a competent Medical Board as also a Review Medical Board had subjected him to a detailed medical examination, wherein he was found unfit.



8. In view of the above, as nothing remains for consideration, the writ petition is closed and disposed of.

Judge