

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) No. 704 of 2025**

Sri Kalipad Sarkar,
S/O- Sri Rajkumar Sarkar,
Of Gabtali, P.O.- Rayermura,
P.S.- Amtali, West Tripura,
Pin-799130.

----- Petitioner(s)

Versus

- 1. The Union of India,**
Represented by the Ministry of Home Affairs,
Government of India.
- 2. The Under Secretary,**
Staff Selection Commission, Block No.12,
CGO Complex, Lodhi Road, Near JLN Stadium,
New Delhi, Delhi-110091.
- 3. Staff Selection Commission,**
Represented by Chairman, Block No.12,
CGO Complex, Lodhi Road, Near JLN Stadium,
New Delhi, Delhi-110091.
- 4. North Eastern Regional Office,**
Staff Selection Commission, Gauhati,
Represented by Regional Director,
Housefed Complex, West End Block,
Last Gate- Basistha Road, P.O. Assam Sachivalaya,
Dispur, Gauhati-781006.
- 5. Director General,**
CRPF (Central Reserve Police Force)
(Recruitment Branch) East Block -07,
Level-4, Sector-01, R.K.Puram,
New Delhi-110066 (Ministry of Home Affairs).
- 6. Review Medical Examination Board,**
represented by the Presiding Officer
RME CT (GD) Exam 2025, BSF Agartala Centre, 799010.

----- Respondent(s)

For Petitioner(s)	: Smt. Rajashree Purkayastha, Adv.
For Respondent(s)	: Mr. Bidyut Majumder, Dy. SGI.
Date of hearing	: 19.02.2026
Date of delivery of judgment	: 23.02.2026
Whether fit for reporting	: No

HON'BLE MR. JUSTICE BISWAJIT PALIT
Judgment & Order

Heard learned counsel Smt. Rajashree Purkayastha, appearing on behalf of the petitioner and also heard Mr. Bidyut Majumder, learned Dy. SGI appearing on behalf of the respondents.

2. The present petition is filed seeking the following reliefs:

"I) ISSUE RULE, calling upon the respondents and each one of them to show cause as to why a Writ of Certiorari and/or in the nature there-of, shall not be issued, for quashing/setting aside the impugned selection procedure followed in conducting Detailed Medical Examination by the Respondents violating the selection procedure laid down in the notice published by the Staff Selection Commission for recruitment to the post of Constables (GD) in Central Armed Police Forces (CAPFs) and SSF and Rifleman (GD) in Assam Rifles and Sepoy in Narcotics Control Bureau Examination, 2025 as well as the rules and procedures prescribed thereunder and also for quashing/setting aside the impugned disqualification of the petitioner (Annexure- D and E) by the Respondents in the Detailed Medical Examination and Review Medical Examination.

II) ISSUE RULE, calling upon the respondents and each one of them, to show cause as to why Writ of Mandamus, and/or in the nature, shall not be issued, for mandating/directing the respondents, to declare the petitioner as qualified/ fit in the Detailed Medical Examination as well as the Review Medical Examination and thereby to qualify him for appointment to the post of Constables (GD) in Central Armed Police Forces (CAPFs) and SSF and Rifleman (GD) in Assam Rifles and Sepoy in Narcotics Control Bureau Examination, 2025 and/or for directing the Respondents to conduct a fresh medical examination of the petitioner and declare him medically fit for appointment to the post of Constable, for fair ends of justice

III) CALL FOR THE RECORDS appertaining to this petition;

IV) After hearing the parties, be pleased to make the RULE ABSOLUTE in terms of i and ii above;

V) COSTS of and incidental to this proceeding;

VI) Any other RELIEF(S) as to this Hon'ble High Court may deem fit and proper;"

3. At the time of hearing learned counsel for the petitioner drawn the attention of the court that against the advertisement dated 05.09.2024 (Annexure-A to the writ petition) the petitioner, as a candidate of Tripura, applied for the post of Constable (GD) in Central Armed Police Forces (CAPFs) and SSF, Rifleman (GD) in Assam Rifles and Sepoy in Narcotics Control Bureau Examination-2025 and accordingly, the petitioner appeared in the computer based examination (CBE) wherein he was selected. Thereafter, the petitioner appeared in the Physical Efficiency Test (PET) and Physical Standard Test (PST) and qualified the same.

4. Thereafter, the respondent authority asked the petitioner to appear in the Detailed Medical Examination (DME) on 19.11.2025. The petitioner appeared in the said DME, but in the DME he was declared unfit/unqualified on the grounds of (i) CP-iv and (ii) Cubitus Varus (Annexure-D of the writ petition). Being dissatisfied with the decision of the authority the petitioner preferred an appeal which was accepted and he was asked to appear for review medical examination (for short RME) on 24.11.2025.

5. According to learned counsel in the RME the petitioner was found normal in CP-iv but in respect of Cubitus varus it was observed that he was having right elbow carrying angle 23 degree and left angle carrying 21 degree which was based upon

the report of Radiological examination. According to learned counsel, the respondents collected the said radiological report from one Seababrata Nursing Home of Agartala, which was not a specialized hospital.

6. Learned counsel further submitted that as per guidelines, the Review Medical Board could get opinion of a concerned specialist or super specialist government medical college or hospital in case of any controversy. But in the case of the petitioner, the respondent authority did not obtain any opinion of a specialist or a super specialist of any government medical college or hospital for which the report of Review Medical Board (RMB) could not be acted upon.

7. Learned counsel further submitted that on 26.11.2025 the petitioner attended AGMC and GBP Hospital at Agartala wherein the specialist doctor opined that the position of left elbow carrying angle is 20 degree and right elbow carrying angle is 20 degree. So as per guideline, the petitioner was very much eligible for selection to the post he applied for, which was also written in the Review Medical Examination report (Annexure- E to the writ petition).

8. Learned counsel again submitted that due to the controversial report, the name of the petitioner was not considered and the final result is likely to be declared very shortly. Learned counsel for the petitioner further submitted that if the candidature of the petitioner is not considered in that case he will suffer irreparable loss and his opportunity to get job

in the Indian Army will be frustrated. So the petitioner under compelling circumstances has filed this writ petition before this Court under Article 226 of the Constitution of India seeking redress.

9. The respondents on acceptance of notice appeared through Mr. Bidyut Majumder, learned Dy. SGI and submitted their counter affidavit denying the assertions of the petitioner.

10. At the initial stage since it appeared to the Court that the respondents at the time of conducting test of the petitioner did not obtain any radiological report from any Super Specialist or Super Specialist of any government medical hospital as per guidelines. So upon hearing of the parties it was decided to refer the matter to the Standing Medical Board, AGMC and GBP Hospital at Agartala for further opinion and accordingly, the Standing Medical Board of Agartala has submitted the following report on 21.01.2026, which was forwarded to the Registrar of the High Court by the Medical Superintendent of AGMC and GBP hospital Agartala on 22.01.2026.

"The Standing Medical Board, Government of Tripura, Agartala Government Medical College & GBP Hospital, Agartala, examined Sri Kalipad Sarkar, (Roll No. 5601010713) candidate of recruitment for the post of CT(GD) Examination-2025 in CAPFs, NCB, SSF and Assam Rifles, S/o. Sri Rajkumar Sarkar of Gabtali, P.O. Rayermura, P.S. Amtali, West Tripura, PIN: 799130 on 17-01-2026.

After careful examination (based on the X-Ray), scanning and measurement of the carrying angle of both the elbow under direct supervision of

Prof.(Dr.) Prabhat Debbarma, Department of Radio Diagnosis, Prof. (Dr.) Santosh Reang, Department of Orthopaedics and Dr. Sankar Debroy, Associate Professor, Department of Orthopaedics, it is found that, the carrying angle on both sides, measuring 19.8° on the right side and 18.7° on left side respectively."

11. Upon the report of the Standing Medical Board, AGMC and GBP Hospital, Tripura the respondents sought accommodation to file reply in the form of affidavit and accordingly the respondents were allowed to file affidavit and in the subsequent affidavit filed on 17.02.2026 at para No.5 & 6, the respondents have specifically stated as under:-

"5. The Petitioner was declared 'Unfit by the Review Medical Examination Board on the basis of Specialist opinion obtained from private nursing home in conformity with the provisions of clause 2(f) of uniform guidelines - 2015 issued by MHA vide its UO dated 20.05.2015 (Annexure R-10). Further, "B/L Cubitus Valgus Deformity" is explicitly categorised as ground for rejection of candidates as per guidelines for Medical Examination issued by MHA.

Further, as per MHA UO. No. 1-45023/10/2005-Pers-II dated 24.08.2005 (Annexure R-18), only one Review Medical Examination is allowed and there will be no appeal against the decision of the Review Medical Examination Board.

Moreover, the allegation of the Petitioner made against the DME & RME are baseless and misleading. However, in view of report dated 21.01 2026 prepared by Standing Medical Board of AGMC & GBP Hospital, Agartala, it is evident that petitioner has Carrying Angle on right side as 19.8

degree and on left side as 18.7 degree which are within permissible range of 20 degree as per Uniform Guidelines-2015

6. That, in view of the submissions made above, especially the contents of the medical report dated 21.01.2026, the answering respondents respectfully pray that the Hon'ble High Court may dispose of the Writ Petition as deemed appropriate as petitioner/applicant is found to be fit on account of Cubitus Varus for which the petitioner was earlier declared 'Unfit' by Review Medical Exam Board on 24.11.2025."

12. From the reply of the respondents in aforesaid para No.5 it appears that they have admitted that as per the report of the Standing Medical Board of Tripura the petitioner has carrying angle on right side as 19.8 degree and left side as 18.7 degree which are within permissible range of 20 degree as per Uniform Guidelines-2025. The respondents urged before this court to pass appropriate order.

13. I have also heard both the sides in respect of the subsequent affidavit filed by the respondent-Union of India. It appears to this Court that Union of India by their affidavit have admitted the case of the petitioner and learned Dy. SGI Mr. Majumder, at the time of final hearing fairly submitted before the Court to dispose of the case in accordance with the report of the Standing Medical Board and the affidavit submitted by the respondents authority.

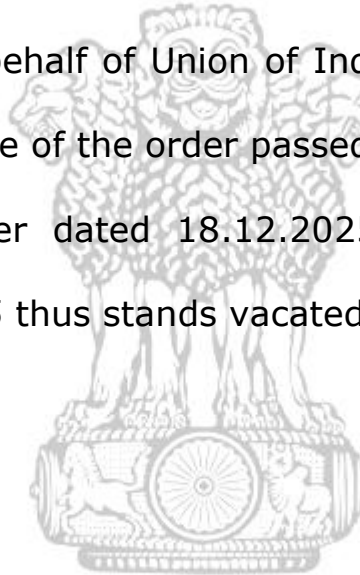
14. In the light of the above discussions, this present writ petition is disposed of with a direction that the respondent

authority shall issue order of appointment in favour of the petitioner under OBC category from the vacant post of Tripura for which the petitioner applied for, within a period of two months from the date of passing of this judgment. However, liberty is given to the petitioner to approach to the court in case of non-compliance of the order by the respondent authority.

15. With this observation, this writ petition stands disposed of.

16. Supply a copy of this order to learned counsel for the petitioner for information and also supply a copy of this order to the learned Dy. SGI on behalf of Union of India for information and immediate compliance of the order passed by this Court.

17. The interim order dated 18.12.2025 passed by this Court in IA No.01 of 2025 thus stands vacated accordingly.



JUDGE

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