

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3564 of 2014

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1. Manoj Kumar Pandey S/O Sri Rameshwar Pandey R/O- Barhupuar,
Mohania, P.S.- Mohania, Distt.- Kaimur

2. Sudama Pandey S/O Sri Brikesh Pandey R/O Sagara, Chandesh, P.S.
Bhabhua, Distt. Kaimur

.... Petitioners

Versus

1. The Union Of India, Through Secretary, Department Of Home, Govt. Of
India At New Delhi

2. Secretary, Department Of Home, Govt. Of India At New Delhi

3. D.G. C.R.P.F., New Delhi

4. I.G. C.R.P.F., Patna

5. D.I.G., C.R.P.F., Muzaffarpur Range, Jhapan, Muzaffarpur

6. Presiding Officer, Recruitment Cell, Bihar Sector, C.R.P.F., Patna

7. Commandant, C.R.P.F., Jhapan, Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Adv.

For the Respondent/s : Mr. Sanjay Kumar (A.S.G.)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

3 03-02-2015 Heard learned counsel for the parties as with regard to the
following relief prayed in this writ application:

“(i) To issue an appropriate writ/ orders Certiorari for
setting aside the order passing medically unfit in review
medical of the petitioners held by respondents authorities if
any.

(ii) To issue an appropriate writ/ orders Mandamus in
nature directing the respondents authorities for issuance of
letter for re examining the petitioners if declared unfit
without considering the medical fitness certificate granted
by local Govt. Hospitals, and further issuance of
appointment letter for the post of Constable (GD) CRPF.”

2. Having regard to the fact that the petitioners had moved

this Court with an impression that the medical review report had not been submitted and in fact in course of such medical review they were found medically fit but today learned Assistant Solicitor General on the basis of instruction received has informed this Court that in course of medical review the petitioners were found to be unfit, this Court would no longer be inclined to go into the correctness of such medical review report which is based on opinion of experts and cannot be interfered by this Court on a mere ipsi dixit of the petitioners.

3. That being so, while this Court is not inclined to grant any relief to the petitioners, nothing said in this order, however, will come in their way in approaching the respondents for seeking copy of the medical review report. In case such a request is made, the petitioner will be furnished the same within a period of one month from the date of making such request.

4. Subject to the aforementioned observation and direction, this application fails and is accordingly dismissed.

(Mihir Kumar Jha, J)

surendra/-

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