

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16777 of 2014

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1. Kanchan Kumar Prasad S/o Shri Sheo Prasad, Village Ajnia, P.O. Khadiha, P.S. Simra, District Aurangabad (Bihar).
 2. Manish Kumar S/o Shri Kishori Das, Village Tetaria, P.O. Shyamnagar Nima, P.S. Amas, District Gaya (Bihar).
 3. Sandip Kumar Paswan S/o Shri Nageshwar Paswan, Village Ahuri, P.O. Shyamanagar Nima, P.S. Amas, District Gaya (Bihar).

.... Petitioner/s

Versus

1. The Union of India through Home Secretary, New Delhi.
2. Law Secretary, Govt. of India, New Delhi.
3. D.I.G., Group Centre, C.R.P.F., Jhaphan, Muzaffarpur (Bihar).
4. D.G.P., Office Bihar Sector, C.R.P.F., Aashiyana - Digha Marg, P.O. Aashiyana Nagar, Patna (Bihar)-800025.
5. State of Bihar through Chief Secretary, Govt. of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh No-10
For the Respondent State: Mr. Gopal Krishna, AC to SC9
For the Union of India : Mr. Rajesh Kumar Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 01-10-2015

In terms of the direction dated 27/8/2015 a review medical test was held under the supervision of the IG, CRPF, Bihar and the opinion of the Medical Board has now been annexed with supplementary counter affidavit as Annexure-D, D/1, D/2 & D/3. In fact, Annexure-D crystallizes the outcome of the opinion of the Medical Board with regard to the three petitioners before this Court.

So far as Manish Kumar is concerned, the opinion of the Medical Board is in his favour and he was found to be fit. In view of

the same, respondents have obligation to appoint him on the post he was selected.

Writ application is allowed so far as it relates to petitioner No.2 Manish Kumar.

So far as petitioners No. 1 and 3, Kanchan Kumar Prasad and Sandip Kumar Paswan are concerned, since they are medically unfit, there cannot be any occasion for this Court to give any direction for their appointment under the respondent CRPF.

Writ has no merit. It is dismissed in terms of the above with regard to petitioners No.1 and 3, who have been found unfit.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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