

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 12736 of 2012

Date of Decision:.01.09.2015

Manish Kumar

...Petitioner

Versus

State of Haryana & ors.

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Rajinder Goyal, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

1. To be referred to the reporters or not?
2. Whether the judgment should be reported in the digest.

DEEPAK SIBAL, J. (Oral)

The petitioner was denied appointment as a Constable on his failing to clear the medical examination test conducted by the Senior Medical Officer, Panchkula as in that examination his left eye sight was found 6x9 as against the required eye sight of 6x6.

Through the present petition challenge is made to the denial of appointment to the petitioner and in support of his claim he has relied upon three medical certificates issued by three different doctors whereby it has been certified that his eye sight in both the eyes is 6x6. On the other hand the respondents oppose the petition by relying upon the above referred medical report by the Senior Medical Officer, Panchkula as also another report by Pandit B. D. Sharma PGIMS, Rohtak certifying the petitioner's left eye sight as 6x24.

In view of the above noted serious dispute on facts, I am not inclined to exercise my jurisdiction under Article 226 of the Constitution of India and resultantly order dismissal of the present writ petition.

However, the petitioner is at liberty to avail any other remedy which may be available to him as per law.

**(DEEPAK SIBAL)
JUDGE**

01.09.2015
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