

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

C.W.P. No.4694 of 2015

Date of Decision : 28.04.2015

Sandeep Kumar

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.M. Sharma, Advocate
for the petitioner.

Mr. Parminder Singh Kanwal, Sr. Panel Counsel
for the respondents.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

Prayer in the present petition is for setting aside the Medical Opinion dated 09.03.2015 (Annexure P-7) and further order of respondent No.2, whereby appointment of the petitioner has been annulled on the basis of document (Annexure P-2).

Learned Sr. Panel Counsel for the respondents states that even though the respondents stand by the opinion of the Medical Review Board (Annexure P-7) yet without considering the present case as a precedent they would not be averse to subjecting the petitioner to Audiometry Test at the

Command Hospital, Chandimandir to finally and conclusively determine whether the petitioner has any hearing problem but the further caveat is that the petitioner would not be permitted to again challenge the finding.

Learned counsel for the petitioner has very fairly accepted this gracious offer.

In the circumstances, this petition is disposed of in the following terms:-

“The petitioner shall appear before the ENT Doctors in the Command Hospital, Chandimandir within a week and his Audiometry report would be placed before the respondent No.3 who will take a final decision thereon within a period of one month thereafter.”

Since the main case has been decided, the pending Civil Miscellaneous Application, if any, also stands disposed of.

April 28, 2015

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**(AJAY TEWARI)
JUDGE**