

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9267 of 2013

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1. Day Nath Singh S/O Tarak Nath Singh R/O Villge- Kewatiya, Barahara,
Tolechrai, Kewatiya, Bhojpur, Ara

.... Petitioner/s

Versus

1. The Union Of India, Through Its Secretary Govt. Of India, Ministry Of
Defence, South Block, New Delhi - 110011
2. The Inspector General, Head Quarter West Bengal, B.S.F., P.O.- Hadantale,
District- Darjelling, West Bengal - 134011
3. The Medical Officer, S.H.S. Kishanganj, B.S.F.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, adv.

For the Union of India : Mr. Rajesh Kumar Verma, adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 04-07-2016

1. Heard learned counsel for the petitioner and learned
counsel for the Union of India.

2. In the present case, the petitioner is seeking relief for
appointment as Constable (J.D.) in Border Security Force.

3. The petitioner applied for the post of Constable (G.D.)
in B.S.F. The petitioner appeared in the physical examination, there
he has been declared successful, but in medical test he has been
declared unfit. On the strength of a medical certificate issued by Dr.
Bharat Singh, Assistant Professor, Department of Orthopedic, Patna
Medical College and Hospital, Patna the petitioner was put to

the Review Medical Board, there also he has been declared to be medically unfit on two grounds; first overweight and another knock knee. Overweight is a temporary disability. So far as knock knee is concerned, it is a permanent disability and the same cannot be ignored.

4. In such view of the matter, this court cannot give direction for appointment of the petitioner. Accordingly, this writ petition is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	NAFR
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