

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11739 of 2011

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Pramod Kumar Ranjan son of Parshuram Paswan resident of Village -
Aurai, P.O. - Kajhai, Police Station Sanjhauli, District - Rohtas.

.... Petitioner/s

Versus

1. Union Of India Through Inspector General Of Police, C.R.P.F. Sector Bihar, Ashiana Digha, Patna.
2. D.I.G. Administration, C.R.P.F. Sector Bihar, Ashiana Digha, Patna.
3. D.I.G. C.R.P.F. Group Centre Mokamaghat, Bihar.
4. The Commandant Recruitment Board, Group Centre, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Sri Sarvadeo Singh

For the Respondent/s : Sri Anshuman Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 03-02-2016 Heard Sri Sarvadeo Singh, learned counsel for the

petitioner and Sri Anshuman Singh, learned Central Government
Counsel.

The petitioner invoking writ jurisdiction of this court
under Article 226 of the Constitution of India has prayed for
directing the respondents for issuance of appointment letter after
declaring him fit by the Review Medical Board.

It has been claimed that the petitioner pursuant to
advertisement published in the year 2011 applied for the post of
Constable General Duty in the C.R.P.F and he was medically
found unfit on 28.1.2011. However, as per statutory provision he
filed appeal within time for his examination by the Review



Medical Board. It has been submitted by learned counsel for the petitioner that on 28.2.2011 the petitioner was examined by a Review Medical Board and he was given impression as if the petitioner has already been found fit by the Review Medical Board and he was informed that appointment letter will be communicated to the petitioner. However, despite lapse of several months, since no communication was issued from the end of the respondent/ C.R.P.F., the petitioner approached the authority concerned and even filed application under the Right To Information Act, 2005. Then he was informed that he was not found fit during Review Medical. He has tried to persuade the court that in Review Medical Board the petitioner was found fit, even then, he was not provided with the appointment letter.

In this case a counter affidavit has been filed on behalf of the respondents and in paragraph no. 15 of the counter affidavit a specific plea has been that the petitioner was found not fit by the Medical Board on 28.1.2011. Subsequently, on appeal filed by the petitioner, the petitioner was re-examined by the Review Medical Board and even by the Review Medical Board he was found un-fit and petitioner was also intimated on the same day regarding his unfitness.

Learned Central Government Counsel has also placed

reliance on Annexure - 'A' to the counter affidavit to show that he was re-examined by the Review Medical Board and his case was rejected.

Sri Sarvadeo Singh, learned counsel for the petitioner, by way of referring to Annexure - 'A' to the counter affidavit submits that the entire Annexure - 'A' is in continuation and there is no mentioning about the case of the petitioner by the Review Medical Board. In sum and substance, he has tried to persuade the court that Annexure - 'A' is not a correct document and stand taken by the respondents is contrary to the record, whereas, to the counter affidavit no rejoinder has been filed.

In view of the facts and circumstances particularly the specific stand taken in the counter affidavit that the petitioner was re-examined by the Review Medical Board and he was found unfit, there is no reason to pass any favourable order.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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