

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.29285 of 2016

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ORDER:

This writ petition is filed by the candidate, who applied pursuant to the notification published on 02.10.2015 inviting applications for recruitment to the post of Constable (General Duty) in Central Armed Protection Force Rifleman in Assam Rifles – 2015. He possessed the prescribed qualification. The Group Centre at Hyderabad will carry out the recruitment process for the candidates located in the Andhra Pradesh and Telangana States. The petitioner was asked to attend the physical test called Physical Standard Test (PST) / Physical Efficiency Test (PET) to be held on 04.06.2015 in the premises of respondent No.4. Accordingly, he appeared in the said test and participated in the 5 kms race in 24 minutes prescribed for male candidates. He comes under the unreserved category. He was qualified in the said test. A written test was conducted thereafter on 04.10.2015, which was the second stage of recruitment process. He was successful there also. His name was included in the list of male candidates qualified for the medical examination. However, during the medical examination he was found unfit in the medical test conducted on 12.05.2016. A letter was given by the Medical Officer on 13.05.2016 wherein it was stated that he can file an appeal against the findings for the Review Medical Examination after obtaining necessary medical certificate from the Medical Practitioner as per Form No.CAPFs-3 and it should reach the Medical Officer by 28.05.2016. Though initially the petitioner obtained certificate on 16.05.2016, it did not contain the details of examination, but he was declared as fit. When it was pointed out

to him, the petitioner appeared once again before the Medical Officer of the Rajiv Gandhi Institute of Medical Sciences, Kadapa, who issued a Medical Fitness Certificate, but the said certificate was issued on 24.08.2016 after the prescribed date. In view of the submission of said certificate after the prescribed date, the petitioner's case is not sent for Review Medical Examination, which is scheduled from 23.08.2016 to 03.09.2016. In those circumstances, the present writ petition was filed.

Since the petitioner already produced a certificate from the Medical Practitioner in the prescribed proforma, but belatedly, and in view of the success of petitioner in two tests, this Court feels that the petitioner should be allowed to undergo the Review Medical Examination by taking into consideration the medical certificate obtained by him on 24.08.2016.

In the circumstances, this Writ Petition is allowed after hearing the learned counsel appearing for the respondents 2 to 5. If for any reason, the writ petitioner is not subjected to the Review Medical Examination on 03.09.2016, a separate Review Medical Examination shall be conducted and report thereof shall be processed further in accordance with law. No order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

02.09.2016

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Note: Issue C.C. today

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