

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

249a

**CWP No. 10203 of 2015
Date of decision: 15.11.2016**

Vikas

.... Petitioner

Versus

Union of India and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Sumit Sangwan, Advocate for the petitioner.

Mr. P.K.Longia, Sr. Panel Counsel for UOI-respondents.

P.B. Bajanthri, J. (Oral)

The petitioner is a candidate for the post of Group 'X' (Technical) Trades in the Indian Air Force. He was called for medical examination. In the medical examination, the medical authorities have held that he is medically unfit on account of hypertension. Later on, he was subjected to review/appeal medical on 20.03.2015. In the appeal medical examination also medical board declared him medically unfit on account of hypertension. The petitioner got himself examined on 06.05.2015 with the Pandit B.D.Sharma, PGIMS, Rohtak wherein blood pressure of the petitioner was examined and found that it is in the normal range. To that extent certificate has been issued by the PGIMS, Rohtak vide Annexure P-6. The respondents authorities have conducted medical examination with reference to paras 4.2.1 and 3.3.3. of the medical manual. Therefore, medical examination and appeal medical examination is in accordance with the statutory rules. Hence, no interference is called for. Mere production of certificate issued by some other medical authorities as on 06.05.2015, same

cannot be accepted for the reasons that petitioner has been held to be medically unfit with reference to hypertension. Whereas, petitioner's medical examination conducted by PGIMS Rohtak and the medical examination conducted by the Selecting authority there is a gap of 3 months in examination and it is not conducted on the very next day so as to compare both the medical reports and to hold that there is an error. Since there is gap of 3 months between 2 medical examinations by different authorities there may be variation in the report due to time gap. Thus, the petitioner has not made out a case so as to interfere with decision of the selecting authority.

Petition stands dismissed.

(P.B.BAJANTHRI)
JUDGE

15.11.2016

pooja saini

Whether speaking/reasons Yes/No

Whether Reportable: Yes/No