

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

CWP No. 17042 of 2016
Date of decision: 27.08.2016

Azad Singh

....Petitioner

Versus

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. A.S. Khara, Advocate,
for the petitioner.

Mr. Vivek Singla, Advocate and
Mr. Deepak Malhotra, Advocate,
for the respondents.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, the petitioner has sought for a direction to respondent No. 2 to consider his name for medical examination, which is going to be held from 23.08.2016 onwards for review of medical examination (and not medical examination).

The respondents have advertised for the posts of Constable (GD) in BSF, CRPF, CISF, ITBP, SSB, NIA and SSF and Riflemen in Assam Rifle. The petitioner is stated to be one of the candidate for recruitment to the post advertised. He has participated in the process of physical efficiency and endurance test, which he cleared and he was directed to appear for written examination, which was held on 04.10.2015. Results were declared in respect of written examination on 17.03.2016. Consequently, the petitioner was called for medical examination on 24.05.2016. Unfortunately, the petitioner could not attend the medical examination on 24.05.2016 for the

reasons that the petitioner's mother was suffering from illness. The petitioner submitted a representation on 10.08.2016 seeking for his medical examination stating that review medical examination is being held therefore, there will not be prejudice to any one.

Learned counsel for the petitioner contends that attending medical examination was announced through online and as the petitioner is a resident of Kharal, Tehsil Narwana, District Jind where facilities of internet is not available so the petitioner could not verify whether candidates who have cleared written examinations have been called for medical examination or not. The other contention is that the mother of the petitioner was suffering from illness so he could not move out of the village. Therefore, it is prayed that the respondents may be directed to subject the petitioner to medical examination.

On the other hand learned counsel for the respondents submits that the process of selection to the post of Constable GD are stage wise like physical and endurance test, written examination, medical examination and review medical examination and presently up to medical examination process is over. Now review medical examination is under process. At this stage the petitioner cannot be subjected to medical examination. He points out that the medical examination and review medical examination are held by different authorities (Doctors) therefore, the petitioner cannot be subjected to before those Doctors who are in the process of review medical examination.

In view of these facts, the petitioner has not made out a case so as to seek a direction to the respondents subjecting him to medical examination.

Petition stands dismissed.

27.08.2016

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(P.B. BAJANTHRI)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No