

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

CWP No.26728 of 2013 (O&M)

Date of Decision:- 3.6.2016.

Patil Sachin Mohan and others

.....Petitioners

Versus

Union of India and others

.....Respondents

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

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Pawan Kumar Sharma, Advocate for the petitioners.

Mr. Pankaj Jain, Advocate for respondents-Union of India.

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**P.B. BAJANTHRI, J.**

1.) In the present petition, the petitioners have questioned the rejection of slips dated 25.11.2013 vide Annexure P-3, P-6 and P-8 respectively. The petitioners are working as Constables in the Office of the second respondent. The petitioners being in service candidates, they are eligible for selection and appointment to the post of SI/LDC. On 13.8.2013, second respondent notified vacancies of Sub-Inspector in the year 2013-14. Petitioners are candidates for the recruitment. Pursuant to the process of recruitment, written examination, physical measurement, physical efficiency test and medical examinations were conducted. In the medical examination, the petitioners were found to be ineligible for the reasons stated in Annexures P-3, P-6 and P-8. Aggrieved by the rejection of their

candidature on the ground of medically unfit, the present petition has been presented.

2.) Learned counsel for the petitioners submitted that petitioners are entitled for re-Medical Examination since they have obtained medical certificate from the private doctors who have declared the petitioners medically fit. Learned counsel for the petitioners further submitted that the petitioners were permitted to be examined by the Medical Officers other than the Medical Officers in the second respondent. Therefore, Annexures P-3, P-6 and P-8 are liable to be set aside. The respondents be directed to re-examine the petitioners for the purpose of medical fitness.

3.) On the other hand, learned counsel for the respondents submitted that declaring the petitioners as medically unfit is in accordance with the Guidelines for Recruitment Medical Examination in Central Armed Police Forces and Assam Rifles (Revised Guidelines as on May, 2015). Petitioners have been held to be unfit with reference to the Guidelines under which petitioners were examined and held that they are unfit. Therefore, there is no infirmity in rejection slips vide Annexures P-3, P-6 and P-8. Perused the records as well as guidelines for recruitment medical examination. The petitioners have not made out a case so as to interfere with the impugned communication declaring them to be medically unfit.

4.) Petition stands dismissed.

**(P.B. BAJANTHRI)**  
**JUDGE**

**June 3, 2016.**

*sandeep sethi*