

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18857 of 2016

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Aniket Kumar, Son of Ramesh Prasad, Resident of Village- Khedalpura, P.O.-
Bihta, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Home Affairs, New Delhi.
2. The Secretary, Ministry of Home Affairs, New Delhi.
3. Staff Selection Commission, Central Region, Allahabad, Uttar Pradesh through its Secretary.
4. The Secretary, Staff Selection Commission, Central Region, Allahabad, Uttar Pradesh.
5. The Directorate General, C.R.P.F., C.G.O. Complex, Lodhi Road, New Delhi, through Deputy Inspector General (Recruitment).
6. The Deputy Inspector General, (Recruitment), Directorate General, C.R.P.F., C.G.O. Complex, Lodhi Road, New Delhi.
7. The Medical Officer, Recruitment Board No.2, B.S.F. Campus, Kishanganj (Khagra Camp).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava, Adv.
Mr. Abhay Kumar Pandey, Adv.
For the Respondent/s : Mr. Anjani Kumar Sharan, ASG
For the Respondent-SSC : Mr. Rajesh Kumar Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 31-08-2017

Heard Mr. Shri Prakash Srivastava, learned counsel appearing
for the petitioner, Mr. Anjani Kumar Sharan, learned Assistant Solicitor
General for the Union of India and Mr. Rajesh Kumar Verma, learned
Central Government Counsel for the Staff Selection Commission.

The petitioner facing selection test for appointment as
Constable (General Duty) in the Central Reserve Police Force conducted
by the Staff Selection Commission has been disqualified on medical
grounds, inter alia on elbow angle exceeding 20°.



The Uniform Guidelines for Medical Examination Test enclosed at Annexure R/1 of the counter affidavit filed by the Union of India gives the general ground for rejection at paragraph 6 and gives minor acceptable defects at paragraph 7. In so far as the issue in hand is concerned it is paragraph 7 which would be relevant and which allows a candidate with carrying angle up to 20° as an acceptable defect provided the same is not associated with the abnormality of elbow joint. Similar is the expression found in the provision relating to Upper Extremities present at VII (1) (a).

The medical report is present at Annexure-5 and the review medical report is at Annexure-8 and a perusal thereof would confirm that the Review Medical Board after carrying out x-ray of both elbow joint have come to a conclusion that carrying angle of both elbow joints exceeds 20°.

Considering that the opinion of the Medical Board is in tune with the Medical Guidelines governing the selection in question, this Court is not persuaded to interfere with the decision of the Medical Board and the writ petition is accordingly disposed of.

(Jyoti Saran, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07-09-2017
Transmission Date	NA

