

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.704 of 2016

IN

Civil Writ Jurisdiction Case No. 16777 of 2014

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Kanchan Kumar Prasad, son of Shri Sheo Prasad, Village Ajnia, P.O. Khadiha, P.S. Simra, District Aurangabad (Bihar)

.... Appellant/s

Versus

The Union of India & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar Singh No-10, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-07-2017

Delay of 131 days in filing the appeal is condoned.

I.A. No.2989 of 2016 is allowed.

In the matter of appointment in C.R.P.F., the proceedings in C.W.J.C. No.16777 of 2014 goes to show that when the matter was pending before the learned Writ Court and when there was serious dispute with regard to the opinion given by the Medical Board on 27.8.2015 itself, a Review Medical Board was constituted at the instance of the Court and a report was called for and based on the report of the Review Medical Board, one of the persons has been granted relief whereas the appellant herein namely Kanchan Kumar Prasad could not be granted relief as he was not found fit and therefore his petition has been dismissed as he was found medically



unfit. It was only in the case of Manish Kumar that a favourable report was received from the Review Medical Board.

As far as the appellant is concerned, once the Review Medical Board was constituted at the instance of the Court and based on the report of the Review Medical Board for appointment in C.R.P.F., action has been taken, we see no reason to make any indulgence.

The appeal is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
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