

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1237 of 2017

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Mukesh Kumar, Son of Sri Ramesh Kumar, Resident of Village- Tenibigha, Police Station- Jehanabad, District- Jehanabad.

.... Petitioner/s

Versus

1. The Union of India, through the Secretary, Human Resources Development Department, Government of India.
2. The Principal Secretary, Human Resources Department, Government of India.
3. The Secretary, Staff Selection Commission (Central Region) 21-23 Lowther Road, Allahabad- 211002 (U.P).
4. The Chairman, Staff Selection Commission (Central Region) 21-23 Lowther Road, Allahabad- 211002 (U.P).
5. The Director General, Central Arms Police Force, Government of India.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Narayan Singh, Adv.

For the Respondent/s : Mr. Anjani Kumar Sharan, ASG

Mr. Rajesh Kumar Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 12-09-2017

Heard Mr. Uday Narayan Singh, learned counsel appearing on behalf of the petitioner and Mr. Anjani Kumar Sharan, learned Assistant Solicitor General for the Union of India.

The petitioner participated in the selection process for appointment as Constable (GD) and was declared medically unfit.

By following the procedure he got himself examined by the local Government Doctor and filed a statutory appeal, a copy of which is present at running page 18 of the proceedings which forms part of Annexure 5 series but he unfortunately forgot to enclose the medical examination report against which the appeal was filed, a copy of which is present at running page 17 of the proceeding which



again is a part of Annexure 5 series. All these exercise took place in January, 2014 and it took the petitioner three years to come before this Court for raising his grievance that he has heard nothing on his appeal against the Medical Board’s decision.

A counter affidavit is filed and Mr. Sharan, learned Assistant Solicitor General in reference to the documents enclosed therewith has submitted that since the appeal was defective as it did not enclose the medical examination report that it was rejected.

The petitioner informs that he had submitted a self addressed envelope and had the respondents informed him, he would have removed the defect. Perhaps the petitioner is right but then the delayed action of the petitioner in approaching this Court after three years of filing of the appeal does not persuade this Court to grant indulgence.

The writ petition is disposed of.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
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