

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11712 of 2017

=====

Abhishek Mishra Son of Umesh Mishra resident of Village - Jinedpur, P.O. -
Rajaura, P.S. - Muffasil, District - Begusarai.

.... Petitioner

Versus

1. The Central Reserve Police Force through Union of India, New Delhi.
2. The Group Centre, C.R.P.F. Muzaffarpur through D.I.G.P., P.O. Jhaphan, Via -
Umanagar, District - Muzaffarpur, Bihar, Pin - 842004.
3. The D.I.G.P. Group Centre, P.O. Jhapan, Via - Umanagar, District -
Muzaffarpur, Bihar - 842004.
4. The D.I.G.P. Group Centre, C.R.P.F. Durgapur, West Bengal - 713214.
5. The I.G. (Medical) Composite Hospital, C.R.P.F. Guwahati, Assam - 781023.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Onkar Nath, Adv.

For the Respondent/s : Mr. Abhay Shankar Jha, CGC

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 11-12-2017

Heard Mr. Onkar Nath, learned counsel appearing for the
petitioner and Mr. Abhay Shankar Jha, learned Central Govt. Counsel,
appearing for the Union of India.

The petitioner has failed on medical examination in the
selection process for appointment of Head Constable in the CRPF on
grounds of suffering from hydrocele.

Although the ailment is treated to be minor and a Post-
operative three months gap in between the date of operation and the
medical examination is condonable in terms of paragraph-7 of the
guidelines present at Annexure 1, but paragraph-7(f) of the same
guidelines disqualifies such cases where surgery has taken place in



between the direct medical examination and the review medical examination. Uncontestedly, whereas the petitioner faced direct medical examination on 20.1.2017 and was held medically unfit on grounds of suffering from hydrocele, he underwent an operation on 29.1.2017 before facing review medical examination and the Review Medical Board also has upheld the disqualification.

Since there is no dispute that the surgery for the ailment has taken place in between direct medical examination and the review medical examination, in view of the stipulations present at paragraph-7(f) of the guidelines at Annexure 1, this Court is not persuaded to grant indulgence to the relief prayed.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.12.2017
Transmission Date	NA

